

SPECIAL REPORT SERIES

Observing the 2004 Mozambique Elections

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OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

THE
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The Carter Center delegation to Mozambique was comprised of 60 members from 23 countries.



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TERMS AND ABBREVIATIONS

Acta	Formal minutes of the presiding officers of a polling station	EO	Electoral Observatory
AMODE	Associação Moçambicana Para o Desenvolvimento da Democracia (Mozambique Association for the Development of Democracy), domestic observation organization	EU	European Union
Cadernos	Segments (or books) of the voter register with the names of registered voters that correspond to a polling station	FECIV	Forum de Educação Cívica (Civic Education Forum)
CNE	Comissão Nacional de Eleições (National Elections Commission) Responsible for supervision of election administration and composed of members from Frelimo and Renamo	Fiscais	Monitors: fiscais dos partidos refers to political party members monitoring the election
Commonwealth	The British Commonwealth is an association of 53 countries that sponsored an international observation delegation for the 2004 elections	Frelimo	Frente da Libertação de Moçambique (Liberation Front of Mozambique)
CPE	Comissão Provincial de Eleições (Provincial Elections Commission), provincial branch of the CNE	Mesa	A voting table consisting of five poll workers administering the poll
Delgados	Delgados de Candaturas, party polling station agents	OE	Observatório Eleitoral (Electoral Observatory, EO)
DfID	Department for International Development, based in the United Kingdom	PVT	Parallel vote tabulation (Recolha de Apuramentos Parciais -RAP)
Editais	Official tally sheets handwritten at the end of the voting process at each voting table (singular: edital)	Renamo-UE	Resistência Nacional Moçambicana – União Eleitoral (Mozambique National Resistance – Electoral Union)
EISA	Electoral Institute of Southern Africa	SADC PF	Southern African Development Community Parliamentary Forum
		STAE	Secretariado Técnico de Administração Eleitoral (Technical Secretariat for Electoral Administration) The administrative arm responsible for conduct of elections, including training of polling officials and civic education
		USAID	United States Agency for International Development



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FOREWORD

Over the course of 2003-2004, the Center worked with election authorities, domestic election observers, and members of the international community to strengthen Mozambique's electoral process. I was especially pleased to see our collaboration with domestic observers produce the country's first parallel vote tabulation of presidential and legislative election results. This independent check on the official results helped to build confidence in the final outcome.

The Carter Center organized a comprehensive observation program of the electoral process, including an assessment of voter registration and the deployment of long-term observers to monitor the campaign period. For the Dec. 1-2 elections, the Center deployed a 60-person delegation, and long-term observers remained for extended monitoring of the vote tabulation process. Taken as a whole, the 2004 electoral

process demonstrated a number of positive signs, including a generally peaceful campaign period and voting process and improved accountability during the vote counting.

Unfortunately, as in 1999, technical problems and a lack of transparency in the final tabulation of national results delayed the announcement of results and undermined the credibility of the process. These problems prevented the Center from concluding with an entirely positive assessment of the election process. The National Elections Commission and the election administration staff must redouble their efforts to ensure that future elections in Mozambique are conducted on the basis of a credible voter register, secure and transparent administrative processes, and timely announcement of final results.

President Armando Guebuza and his party, Frelimo, are to be congratulated on their convincing victory at the polls. Their challenge will be to work with the main opposition party Renamo, other parties, and civil society actors to find political solutions to the problems that the Center and others have observed.

I want to extend special thanks to Nicéphore Soglo, former president of Benin, for joining me as a co-leader of the December 2004 delegation. His experience and wisdom added immeasurably to our efforts. The Carter Center is especially grateful to the United Kingdom's Department for International Development and the United States Agency for International Development, whose generous support made this initiative possible. We also appreciate the funding provided by Switzerland's Federal Department of Foreign Affairs.

Jimmy Carter addresses the media following a meeting with outgoing President of Mozambique Joaquim Chissano. Rosalynn Carter is in the immediate background.

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ACKNOWLEDGMENTS

The Carter Center would like to thank a number of individuals and organizations without whose tremendous support and efforts the Mozambique electoral process observations over the last five years would have been impossible.

The Center thanks the government of Mozambique and the National Elections Commission president, Reverend Arão Litsure, for inviting the Center to observe the elections. The Center acknowledges that the 2004 elections were a substantial undertaking, requiring the coordination of the CNE, STAE, government officials, and the international community.

The Center acknowledges the support of the United States Agency for International Development, the United Kingdom Department for International Development, and Switzerland's Federal Department of Foreign Affairs. Their combined support enabled the Center to implement a sustained program of activities from the 2003 municipal elections through the voter registration update to the 2004 presidential and legislative elections. The Center would like to extend special thanks to Miguel de Brito of USAID, Alicia Herbert of DfID, and Anne Gloor of the Embassy of Switzerland for their assistance.

The Center offers special gratitude to former President of Benin Nicéphore Soglo, who served as delegation co-leader with President and Mrs. Carter to the presidential and legislative election observations. President Soglo has responded to the Center's invitations on many previous occasions, and his insights and experience strengthened our work in Mozambique.

The Carter Center was fortunate to have two dedicated and talented Mozambique office directors. Marc de Tollenaere directed the office through the municipal elections and voter registration update and continued to participate in the project after his departure from

Mozambique in August 2004. Mr. de Tollenaere was a central figure not only in this project but also in the wider political scene in Mozambique, and it is a sign of respect among Mozambicans for his intelligence and diligence that he was able to collaborate so effectively with the Center's domestic partners. Nicolás Bravo stepped into his role as the new field office director in September 2004 and immediately demonstrated that he was up to the many challenges ahead. Mr. Bravo organized the Center's long-term observer deployment, continued the collaboration with domestic election observers and support to the PVT, managed the arrangements for a 60-person election delegation and two former presidents, and helped the Center to remain engaged throughout the lengthy postelection process. The Carter Center is indebted to the leadership and insight of these two individuals.

Our Maputo office staff was remarkable not only for their competence but also their unwavering patience. Cecília Luna López coordinated the long-term observation and planned for deployment of the short-term observation; Júlio Garcia Cruz coordinated logistics for the delegation leadership; Fátima Mahel doubled her effort as finance officer and deployment arranger; Alda Mahumane provided continuous support in the office; and Dionisio Spiratus and Daude Sulemane served professionally as drivers with an intimate knowledge of Maputo.

Long-term observers bear the brunt of observing and compiling election information for weeks before and after the delegation's arrival and departure. Cecília Luna López, Amanda Dixon, Abdoulaye Kourouma, and Jacques Saidi-Kamuleta worked throughout the voter registration update. They were joined by Anna Bjorndal, Roel Borren, Natasha Cassinath, Mário Jaleco, Fernanda Lopes, and Silvina Silva-Aras prior to the December elections. Each of them traveled to multiple locations in Mozambique,



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covering all provinces, and without their hard work and insights, the Center would not have been able to gain the same understanding of the elections.

The Carter Center thanks the individuals who volunteered their time and experience to join the delegation in Mozambique. They accepted their responsibilities without complaint and demonstrated their support for democracy in Mozambique. The delegation had the pleasure of counting several Carter Centre United Kingdom trustees as observers: Henry and Rebecca Tinsley and Bill Kleh. The Center would like to offer special thanks to Torben Vestergaard Frandsen for his participation and contribution of medicated mosquito nets for the entire delegation.

Several consultants provided special skills to the project: Glenn Cowan and Eric Bjornlund (parallel vote tabulation) and Bruno Speke (campaign finance). Their expertise and ability to appreciate the specific conditions of Mozambique were crucial to the success of these activities.

A number of Carter Center staff worked from Atlanta to make the observation possible, including Tynesha Green, Tom Eberhart, Kay Torrance, Nancy Konigsmark, Jane Nandy, Jason Calder, and Shelley

McConnell. Several interns contributed in countless ways: Dan Kosinski, Simona Foltyn, Ricardo Rodrigues, Amy Cook, and Amanda Dixon. They contributed to logistics, research, and preparation of materials for the delegation and traveled to Mozambique during the elections. Without this handful of staff and interns alike, the Center would have been unable to implement this project.

The Carter Center recognizes the work of all the Mozambican national observers, especially Brazão Mazula and Otilia Aquino for their leadership in the Electoral Observatory. Domingos do Rosario is commended for his stewardship of an especially demanding and crucial role in the PVT central office. Likewise the Center acknowledges the work of other international observers, particularly the delegations from the European Union, Commonwealth, and Electoral Institute of Southern Africa.

Many individuals contributed to this report—Nicolás Bravo, Glenn Cowan, Dan Kosinski, Nealin Parker, and Marc de Tollenaere—based on input from the entire delegation. David Pottie managed the overall project and compiled the final version of the report.

Members of the Carter Center core staff in Mozambique with President and Mrs. Carter.



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EXECUTIVE SUMMARY

1 ♦ Following nearly two decades of civil war, Mozambique held its first democratic elections in 1994. Widely determined to be free, fair, and successful, the election illustrated the extent to which two main forces, Frelimo and Renamo, had committed themselves to peace and the introduction of multiparty politics. The Carter Center observed the 1999 elections in Mozambique. These elections were largely peaceful, and election day procedures were well-administered. The Center had serious concerns about a lack of transparency and observer access during the tabulation process. The narrow margin of victory for President Chissano over challenger Afonso Dhlakama coupled with a significant number of rejected polling station tallies cast a lingering shadow over the elections. Postelection conflict between the two parties threatened to undermine the hard-won peace in Mozambique.

2 ♦ The National Elections Commission invited The Carter Center to observe the November 2003 municipal elections, and the Center opened an office in Maputo in October 2003. A report of the Center's observations is available on the Center's Web site. The Center collaborated with domestic election observers to conduct a parallel vote tabulation that serves as an independent check on the official results.

3 ♦ The Carter Center remained in Mozambique throughout 2004, working with the domestic observers and observing the voter registration update conducted in June-July 2004. The Center raised several important concerns regarding the credibility of the voter register, which held many duplicate entries and names of the dead. A report is available on the Center's Web site.

4 ♦ The CNE extended an invitation to President Carter and The Carter Center to observe the December 2004 elections. Prior to the elections, the Center deployed long-term observers who visited more than 50 districts and every province. They met with representatives of the political parties, electoral authorities, domestic and international election observers, civic organizations, media, and international community representatives. Generally, observers found a calm environment, although some isolated signs of intimidation (some involving the police force) were observed in Gaza and Tete provinces. The Center hoped that the Technical Secretariat for Electoral Administration would intensify its voter education campaign in the remaining weeks before the elections. The Center observed the voter registration update in June-July and expressed serious concerns regarding the accuracy of the voter register; these concerns persisted during the campaign period. No final list identifying the number of registered voters per polling station was made available to political parties or observers.

5 ♦ The Center deployed a delegation of 60 observers from 23 countries for the elections on Dec. 1-2. Following briefings in Maputo, observers were deployed in teams to every province. The Center coordinated its efforts with other international and domestic observer organizations. The delegates met with local and provincial election officials. President Jimmy Carter, Mrs. Rosalynn Carter, and former Benin President Nicéphore Soglo led the delegation. The executive director of The Carter Center, Dr. John Hardman; senior program associate and Mozambique project manager Dr. David Pottie; and the Center's Mozambique field representative, Mr. Nicolás Bravo, accompanied the delegation leaders. The leadership team remained in Maputo, meeting with President Joaquim Chissano; the presidential candidates; members of the CNE, STAE, and Constitutional Council; leaders of nonpartisan



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domestic election monitoring organizations; leaders of other international election observation delegations; and others.

6 Over the course of polling on Dec. 1-2, the Center's observers found a calm environment, ♦ careful attention to procedure by polling officials, and a notable number of women polling officials. In general, the Center's observers felt they were welcomed and able to observe freely. Despite the Center's concerns about the overall quality of the voter register, eligible voters appeared to be able to cast their ballots without difficulty. Voter turnout appeared to be low (less than 40 percent), and several serious irregularities were observed during the counting process in Niassa and Tete. The newly introduced provision for party and candidate agents to sign and receive copies of polling station tally sheets was a welcome step toward a more accountable results process.

7 Evidence of serious irregularities in the polling process came to light in several provinces. For ♦ example, the Center's observers in the Tete provincial districts of Changara, Chifunde, and Tsangano as well as in the Niassa districts of Metarica and Marrupa and in the Gaza district of Chicualacuala found voter turnout percentages suspiciously high and in some cases, impossibly high (more than 100 percent), leading to the conclusion that ballot stuffing occurred in some of those polling stations. These incidents had an important impact in the final National Assembly results. Also notable, the province of Tete had the highest (and unprecedented) voter turnout nationwide (67.4 percent), contrasting with a national rate of 43.6 percent.

8 The official results process was delayed. No ♦ province met the legal deadline for announcement of interim results, and the CNE declared final results on Dec. 21, four days after the

deadline. The Center acknowledges that the multiparty environment in Mozambique provides an important opportunity for parties to work together to improve governance, but the public also has a right to the prompt and transparent verification and announcement of results. Approximately 3.3 million Mozambicans, or slightly more than 40 percent of registered voters, participated in the elections, electing Frelimo presidential candidate Armando Guebuza with more than 60 percent support and giving Frelimo a majority of seats in the National Assembly.

9 The delegation leadership was particularly ♦ concerned about the issue of transparency in the provincial and national tabulation process. The Center attempted to observe and assess as much of the verification process as possible but was hindered by a lack of cooperation by the CNE. Concerns included: questionable tally sheet results, mismatched numbers of polling stations and tally sheets, and a constant mistrust between political party representatives at the STAE. No provincial electoral commission released clear information on the final voter list, and election authorities were unable to explain adequately why software problems resulted in the generation of extra tally sheets. As noted by the Constitutional Council, the election results did not include a detailed district-by-district map for every province as stated by law, and the CNE has poorly explained the reasons for rejected, stolen, or missing tally sheets. Despite CNE President Arão Litsure's assurance to Jimmy Carter that observers would be able to review rejected tally sheets and the record of the reasons for their rejection, the Center and other observers were never able to view such a record of the rejection of 699 presidential and 731 legislative tally sheets.



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Mrs. Carter meets STAE Director-General Antonio Carrasco as CNE President Arão Litsure and Vice President Angelica Salamão look on. The delegation co-leader, former President of Benin Nicéphore Soglo, is behind Mrs. Carter.

10 ♦ The Center's confidence in the overall election result is based in part on the successful conduct of Mozambique's first national parallel vote tabulation. Given the controversial 1999 results process and the subsequent political deadlock in party relations, the PVT provided an impartial verification of the official results and served as a possible conflict prevention tool. The Electoral Observatory, an umbrella group that encompassed a number of different nonpartisan domestic observer groups, conducted the PVT with the Center's support. The availability of the PVT results soon after the close of polls allowed The Carter Center to make more informed judgments about the overall picture. Mozambique's domestic election observers are congratulated for the conduct of this crucial check on the official results.

11 ♦ The Center assessed political finance in Mozambique to better understand the operation of political parties, especially during election campaigns. Campaigns tended to rely on a combination of the party's share of public funds, free advertisement on public radio and television, economic investments, and private donors. Frelimo is the most successful party to foster economic activities and is the only party with broad access to private financial supporters. Personal wealth and party membership fees played only minor roles in campaign finance. Despite clear legal political funding regulations, many aspects of party finance lack transparency and oversight. Access to state resources is open to a range of abuses that benefit the ruling party and contribute to unequal party capacities.

12 ♦ Several political parties submitted complaints to the Constitutional Council, each of which was denied based on technical problems with the submission process. The Carter Center welcomes the strong recommendations made by the Constitutional Council, including the generation of a single, national voter register; the proper institutional and professional development of the CNE; a more consistent knowledge of the electoral legislation on the part of the political parties; and the need to create adequate conditions for electoral observation. The Center is concerned that some issues did not receive sufficient attention from the council, including the abuse of public resources by political parties during the campaign period and acceptance of the delayed results from the electoral bodies with no such flexibility being accorded to political parties with late election petitions.



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HISTORICAL BACKGROUND

Mozambique's experience of democratic elections has been marked by the twin challenges of establishing peace after decades of conflict and crafting economic development policies that meet the basic needs of the people.

While other European nations granted independence to their colonial possessions in the years after World War II, Portugal maintained its rule over Mozambique for nearly three subsequent decades. In 1962, several anti-colonial political groups established the Frente da Libertação de Mocambique (Liberation Front of Mozambique, Frelimo). An armed campaign against Portuguese rule formed two years later, and after a decade of intermittent fighting, Portugal relinquished its colonial rule, granting Mozambique independence on June 25, 1975.

Following independence, Frelimo benefited from widespread support as the liberation party. Leaders of the Frelimo military campaign established a one-party state, and in 1977, the party formally declared itself Marxist Leninist. Frelimo enjoyed complete control of the state for two decades during which it expanded its

A Maputo mural depicts the Portuguese colonial conflict with Mozambicans.



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organizational structure and developed itself at both the national and local levels. Yet while systematic privilege was accorded to the urban, industrialized areas, rural development foundered.

Civil war emerged in the decade following independence, with the government unable to exert control over much of the rural areas. In these neglected areas of central Mozambique, the governments of Rhodesia and apartheid South Africa supported the creation of an armed resistance movement, Resistência Nacional Mocambicana (Mozambique National Resistance, or Renamo). Following Zimbabwean independence in 1980, South Africa became Renamo's chief supporter, and the conflict intensified with Renamo becoming the main challenger to Frelimo's authority.

After President Samora Machel's mysterious plane crash in 1986, his successor, Joaquim Chissano, initiated peace talks with Renamo. The resulting constitution in 1990 proposed fundamental shifts in the character of the Mozambican state and economy, establishing a multiparty system, market-based economy, and the framework for free elections. The civil war formally concluded with the signing of the Rome General Peace Accords in 1992. The conflict had killed more than 1 million Mozambicans, forced 1.7 million people to take refuge in neighboring states, and left several million individuals internally displaced. Mozambique's social and economic infrastructure was devastated, and political mechanisms for fostering dialogue and managing the country's future were nonexistent.

Following the peace accords, Renamo received US \$17 million from a United Nations trust fund to help transform the rebel movement into a political party. Despite generous funding, the party's transition into the multiparty political structure was arduous, as most of Renamo's leaders had military backgrounds but little formal education or political experience. The party also lacked any substantive ideology besides opposition



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Two informal market sellers with their homegrown potatoes sit in contrast to the availability of Coca-Cola.

to Frelimo and suffered from rigid centralization within its party structures.

Mozambique held its first democratic elections in 1994. A newly formed Comissão Nacional de Eleições (National Elections Commission, or CNE), composed of members chosen on party lines, supervised the conduct of the elections, technically administered by the Secretariado Técnico de Administração Eleitoral (Technical Secretariat for Electoral Administration, or STAE). Although not without controversy, the elections were widely determined to be free, fair, and successful, and Joaquim Chissano was elected president with 53 percent of the vote. His party also won a majority of the 250 seats in the National Assembly, while Renamo gained 112 seats.

While both of the main political parties adapted to the new multiparty system, they also continued to dispute the basic rules of the game, often causing electoral system reform to be slow and contentious. The promise of decentralization and local democracy through the 1998 elections in 33 newly created municipalities was overshadowed by a Renamo boycott. The party withdrew from the elections when it felt that its complaints about flaws in the registration process were

unanswered. Voter turnout was less than 15 percent, and Frelimo won in every municipality.

The electoral law was rewritten in time for national elections in 1999, and a new voter registration drive provided voter registration cards to 85 percent of the potential electorate (more than 7 million voters). Once again, Joaquim Chissano was elected president, and Dhlakama suffered his second defeat, this time by a margin of less than 4 percent. Overall, compared to recent experiences of post-transition second elections in Africa, The Carter Center observers found Mozambique's 1999 general elections showed signs of a maturing political system. The parties forged a consensus on the electoral law and campaigned widely, and election day processes were well-administered with high voter turnout. However, given the highly politicized nature of election administration and the close presidential race, technical problems and a lack of transparency during the national vote tabulation undermined the credibility of the results.

The Center offered a number of recommendations for possible steps to improve future elections that serve as important benchmarks for assessment of the 2004 elections. These recommendations included: 1) reforming the electoral law to eliminate gaps and contradictions; 2) restructuring the CNE on the basis of a comprehensive review involving civil society, political parties, and election technicians; 3) increasing the role of civil society leaders in the CNE, selected in consultation with the political parties; 4) clarifying CNE rules and operating procedures; 5) restructuring STAE as an independent body with permanent technical staff; 6) adjusting a series of election day procedures; 7) publishing complete polling station results for the 1999 elections and for future elections; 8) establishing a faster reporting system and allowing party agents and observers to monitor the data; 9) permitting a greater role for civil society, media, and national observers to gather information about election results, including conducting parallel vote tabulations (PVT); 10) adopting regulations to provide automatically for a review of results, or a whole/partial recount, if certain margins or



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thresholds are crossed; and 11) reforming the institutions and processes for electoral dispute resolution.

In anticipation of the 2004 elections, The Carter Center observed Mozambique's second local elections in November 2003. New legislation for municipal elections was approved in October 2002, but the CNE remained highly politicized with 10 members nominated by Frelimo, eight by Renamo-UE, and one representative from civil society as chairperson. CNE and STAE structures at provincial and district levels were similarly composed.

An update of the voters roll, the first since 1999, took place between June 26 and July 26, 2003. Some logistical problems were noted, although this time, contrary to 1998, the voters roll itself was not contested, and Renamo-UE participated in the elections.

The municipal elections also provided a critical window of opportunity in which to strengthen local observer groups in advance of the 2004 national elections and to assess whether the recent round of electoral reforms was adequate. While voter turnout increased to nearly 25 percent, continuing problems with the voter register remained, and the final results process reinforced the Center's view that more far-reaching electoral reform was necessary.

One important and promising reform was the establishment of the Constitutional Council. Although established less than a month before the municipal elections, its mandate enabled the council to verify the legal demands for candidates for the presidential elections, to serve as the last body of appeal for complaints, and to validate the final election results.

Frelimo consolidated its hold on a strong majority of municipalities, winning the seat of municipal president in 28 and absolute majorities in 29 municipal assemblies, with victories in many areas

that had voted for Renamo-UE in the 1999 general elections. Renamo-UE won five municipal president seats and majorities in four municipal assemblies. Other parties (notably, Party for Democracy and Development, led by former Renamo Secretary-General Raul Domingos) and civic organizations performed poorly, winning a total of only 13 seats across all municipalities.

The Center also notes the imperatives of economic development in Mozambique. Mozambique's 19 million people are among the poorest in the world, and the country ranks 171 out of 177 countries on the United Nations Human Development Index. A majority of people live on less than \$2 a day, and more than half of Mozambique's population is undernourished and does not have access to clean water. As Mozambique looks toward the future, it must address these issues to complete the transformation into a vibrant and responsive democracy with policies that address the most immediate needs of the people.

Mozambique's long coastline provides a supply of fresh fish brought in by hand from many small-scale fishing operations.



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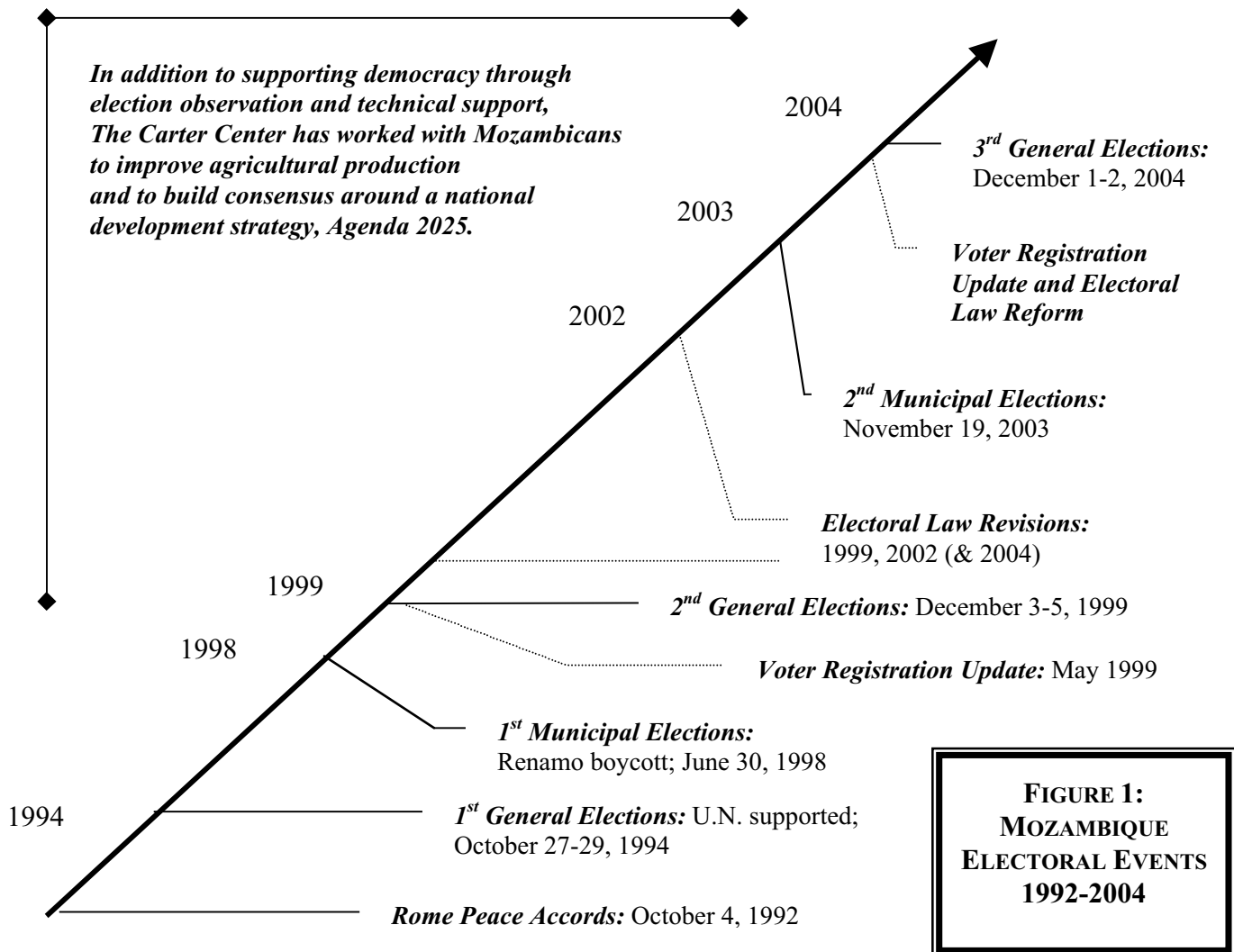


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THE CARTER CENTER IN MOZAMBIQUE

Over the last decade, the Center has supported Mozambican development through international election observation, support for domestic observers, review of the political finance structure, assistance in the creation of a consensus-building national development strategy, and improvement of agricultural production. These efforts have brought together the resources of the Carter Center's Democracy Program, Global Development Initiative, Americas Program, and Global 2000.

The Center's commitment to democratic principles has initiated a longstanding relationship with the Mozambican government and electoral authorities. The Center observed Mozambique's second multiparty general elections in 1999, the subsequent electoral law revision process, the 2003 municipal elections, the 2004 voter registration update, and the December 2004 presidential and legislative elections. It is this extended and diverse involvement that informs this report and its recommendations.





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THE 1999 ELECTIONS

The 1999 elections were Mozambique's second elections after its transition from civil war. As such, these elections were an important test of Mozambique's democratization and, more generally, of its transition from war to peace and national reconciliation.

At the invitation of the CNE, The Carter Center sent a delegation of 13 observers to the 1999 voter registration and concluded that the process was well-managed and implemented. In October of the same year, the Center opened a field office in Maputo and deployed 10 medium-term observers to monitor the campaign and electoral preparations. Prior to the elections, the Center expressed concern over the delays in the disbursement of campaign funds, serious incidents of violence, credible reports of intimidation of Renamo representatives, and biased media coverage. Despite these setbacks, the Center was impressed with the breadth of political party campaigning and diversity of views.

Supplementing the long-term observation, The Carter Center deployed a 50-person delegation co-led by former U.S. President Jimmy Carter, Mrs. Rosalynn Carter, and former President Ketumile Masire of Botswana. Over the three days of the election (the elections were originally scheduled for Dec. 3 and 4, but because of logistical problems in Zambezia province, the CNE extended voting to a third day), The Carter Center observed 747 polling stations in all of Mozambique's provinces. After voting closed, delegates remained deployed to observe ballot counting and tabulation.

The election itself was tranquil, orderly, and efficient, with high voter turnout and results that revealed a tightly contested race between two strong parties and candidates. Observers did note intimidation of Renamo representatives in one province and, more concerning, an undermining of the credibility of the process by a series of technical problems that emerged during the tabulation of votes, which fueled political

suspensions and caused divisions within the CNE.

These problems were compounded by a lack of transparency during the final stages of tabulation at the national level preceding the announcement of the official results and by the limited technical monitoring capacity of the parties' agents and representatives.

The Carter Center postelection assessments recommended that the country's electoral institutions take steps in future elections to build trust, confidence, and credibility. The Center offered six recommendations as a contribution to the discussions that were taking place in Mozambique and emphasized the even greater importance of transparency and broad participation in the process from both civil society and political parties.

The Center saw fine-tuning the electoral law as a basic prerequisite to smooth, efficient, cost-effective, and timely future elections. Vague laws in the 1999 elections compelled the CNE to make too many policy decisions and left election officials at provincial and lower levels prone to making varying interpretations of the law. A more detailed list of the Center's suggested reforms can be found in this report's section on electoral law.

The Center suggested restructuring the CNE based on a civil society, election technician, and political party review of the elections' organization. An initial list of possible changes included reducing the size of the CNE from 17 members to a more workable number, creating mechanisms to make CNE membership less partisan and more impartial, establishing clear CNE rules and operating procedures to enhance transparency, and streamlining the functions of the various levels of CNE (and STAE) offices.

The Carter Center noted the need to clarify the lines of authority between the CNE and STAE and suggested making STAE an independent body with permanent technical staff that would work both during and between electoral periods and over which the CNE would provide general policy guidance.



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Based on the findings of the Center's election delegation and on other reports, The Carter Center suggested reforming a number of election day procedures. The reforms included: homogenizing rules for production and use of party agent credentials; standardizing polling station setup, including the orientation of voting booths; numbering ballot papers to expedite tabulation; and ending the final day of voting at an earlier hour to provide more daylight during polling station closing and counting. The CNE considered 500,000 spoiled ballot papers and accepted one quarter of them. Furthermore, 7 percent of the polling stations were excluded, as the CNE ruled that the result sheets contained serious errors. Transparency in this process was limited because observers and journalists could not verify this process at the national level.

To resolve lingering doubts about the election and allow Mozambique to focus on future elections, the Center suggested that the CNE announce and publish complete and detailed results for the 1999 elections and future elections and consider permitting civil society groups, national observers, and independent news media to engage in independent parallel vote tabulations (PVT) as a means of verifying and enhancing confidence in official election results.

Finally, the Center recommended that to avoid the doubts created by the unprocessed tally sheets in 1999, Mozambique should consider adopting electoral regulations which would provide automatically for a thorough review or re-count of tally sheets (or a re-count of ballots) if certain margins or thresholds are



Jimmy Carter speaks to men waiting in line to vote during the 1999 elections.

crossed and ensure that observers have complete access to such reviews. In addition, the Center suggested reforming the institutions and processes for electoral dispute resolution. In 1999, the Supreme Court (whose members are appointed by the president) served as the electoral tribunal in lieu of the Constitutional Council, which is mandated in the Constitution but had not been established. For future elections, the Constitutional Council should be in position to fill its constitutional role.



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THE 2003 MUNICIPAL ELECTIONS

Mozambique held its second multiparty municipal elections on Nov. 19, 2003. The previous municipal elections in 1998 were marred by a Renamo boycott, flawed voters roll, and low voter turnout (less than 15 percent). The 2003 elections were important, therefore, as a measure of the progress the country had made in the five years since its last municipal elections and as an indicator of some of the future issues that could surface in the 2004 presidential and legislative elections. These elections were notable as the first election in which the Constitutional Council was able to establish its authority and in which Renamo was able to test its local strength.

In March 2003, Mozambique completed the first round of significant electoral reforms since the 1999 elections. The Center had tracked the irregular progress of this reform process, which had been frequently interrupted by political party posturing within the parliamentary commission tasked with making recommendations. By the end of 2002, Mozambique had a new municipal electoral law, and the parties had reached agreement on the basic structure and decision-making process of the National Elections Commission.

The outcome of the reforms was an 18-person CNE with members drawn from the political parties on the basis of their strength in Parliament. The chair was selected from civil society representatives, and decisions were to be voted in by simple majority. The CNE would set electoral policy within the framework of the election law and supervise the work of STAE, which would once again manage the actual administration of the elections.

In June 2003, the Center accepted the CNE's invitation to observe the municipal elections and opened a field office in October of the same year. For almost a month, four international observers conducted pre-election assessment in 25 of the 33 municipalities. The Center was pleased by the overall positive perceptions

of STAE but noted concerns expressed by members of both Frelimo and Renamo in some areas that the partisan nature of STAE structures made decision-making slow. The Center also was concerned by the delayed update of the voters roll and inadequate, or uneven, civic education across the municipalities.

In the days immediately preceding the municipal elections, The Carter Center deployed a second group of observers in seven teams. On election days, the teams visited 60 polling sites and 130 polling tables in 11 selected municipalities across six provinces and Maputo City. Observers watched opening of polling tables, all voting procedures, the closing of polling tables, the counting of the ballots, and the intermediate tabulation at the level of each municipality.

FRELIMO WINS IN A MAJORITY OF COUNCILS

Frelimo won 28 elections for municipal president and 29 absolute majorities in municipal assemblies. Frelimo thus consolidated its hold on a strong majority of municipalities and won elections in many areas that had voted for Renamo-UE in the 1999 general elections. Renamo-UE won five elections for municipal president and the majority of seats in four municipal assemblies. Renamo-UE therefore had the opportunity to exercise formal executive power in elected office for the first time in Mozambique in the following municipalities: Nacala-Porto, Ilha de Moçambique, Angoche, Beira, and Marromeu. However, in Marromeu, the Renamo-UE mayor would have to share power with a Frelimo majority in the municipal assembly. Other parties and civic organizations fared very poorly, winning a total of only 13 seats across all municipalities.

CARTER CENTER PROPOSED REFORMS

The Center's initial statement, released three days after the election, commended the electoral authorities on the efficiency and conduct of the elections, the



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MARGOT GOULD



Political differences often lead to violence in Mozambique. Carter Center observer Ricardo de Rodrigues stands in the burned-out shell of Renamo district party offices.

competence of polling station staff, and the high level of competition between parties. The generally positive review of election days also noted low voter turnout. The Center was concerned that some provincial election officials restricted the mobility of accredited observers and in some places, hindered access to the intermediate tabulation process. These prohibitions ultimately precluded the Center from verifying fully this part of the elections.

Several of the Center's recommendations focused on alterations which electoral authorities could make to the election procedure to facilitate the 2004 general

elections. The Carter Center recommended a review of the computerized voter register. The voter register required not only correction but also completion and the integration of the 1999 and 2003 updates to avoid early controversy during the preparation of the 2004 elections. The Center warned that the existing problems of overlapping versions of the roll and multiple and incorrect entries would artificially inflate the voters roll by up to 10 percent, or nearly 1 million voters.

A second concern was the habitually problematic results tabulation process that was controversial for the municipal elections in 1998 and 2003 and the national elections in 1999. Specifically, excessive errors in tally sheets and nontransparency in the processing of tally sheets at municipal level undermined the credibility and openness of the tabulation of results. The Center noted the trend of the electoral process in general, and tabulation in particular, becoming a two-party battleground and implored that this trend be reversed to encourage more nonpartisan and transparent election administration. The Center encouraged the CNE to include other witnesses from other parties and to give independent observers full access to all aspects of the tabulation.

Finally, the Center stated that the timely announcement of credible results is critical to easing tensions and consolidating the validity of the election. The delays in results announcement and the questionable accuracy of those results damaged the credibility of the election process. The Center also found errors in the results announced by the CNE on Dec. 4 and in the "corrected results" published by the CNE on Dec. 11. The Constitutional Council had to request the CNE to correct errors and had to pronounce on the complaints. The Constitutional Council published its final ruling on Jan. 15, 2004, confirming the results and annulling all complaints but also criticizing the CNE and the Parliament and providing valuable suggestions for future improvements to the electoral process. To address these delays, the Center supported the Constitutional Council's statement that the schedule for the release of official national results should be



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These elections were notable as the first election in which the Constitutional Council was able to establish its authority.

reviewed to ensure that the CNE has sufficient resources for the timely announcement of final results.

The Center reiterated a recommendation previously made in 1999 that the CNE consider reducing its size and limiting the role of political party representatives among its membership. In addition, both the CNE and STAE were again encouraged to create mechanisms to reassure Mozambicans that they were acting in an impartial and transparent manner. One suggested method of building this credibility was for the CNE to engage in dialogue with international and domestic observers to ensure improved geographic mobility and access of election observers to all aspects of the electoral process, including intermediate and national tabulation.

The Center also noted aspects of the electoral process that will affect future municipal elections in

Mozambique, such as the publication of detailed official information on the delimitation of each municipality.

In addition to making recommendations to electoral authorities, the Center made recommendations to other groups whose participation in elections was vital to ensuring democracy. These included:

Civil society organizations should be able to collaborate with electoral authorities to ensure maximum success and coverage of civic education campaigns.

Media workers should receive additional training on the electoral process and law and on how best to improve their coverage of election campaigns without political bias.

Political parties should review their internal procedures to ensure that internal party democracy prevails in the selection of candidates for the party lists.

Particular effort to ensure the participation of women and youth, as is the case with Frelimo, should be undertaken by all parties.

Political parties should produce a code of conduct with electoral authorities to govern the behavior of political parties and their supporters to ensure a peaceful and tolerant election campaign in 2004.



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ELECTORAL REFORM

Mozambique has updated its electoral law a number of times since the constitutional revisions that instituted a multiparty democratic system in 1990. The timing and content of these revisions have been very much tied to the election schedule and outcomes. The revisions governing the 2004 elections do not appear to be based on a strategic vision of what the electoral system should look like; instead, the changes appear to once again have been made on an ad-hoc basis, informed by problems during the 1999 and 2003 elections and the prevailing political relations between Frelimo and Renamo.

The Mozambican political system is a multiparty presidential democracy based on the 1990 constitution. Executive power is vested in a directly elected president who appoints and chairs a council of ministers, including a prime minister. The National Assembly has 250 members elected by party list in each province. Seats are awarded based on percentage of the vote in each province with the stipulation of a 5 percent national threshold for any party to gain representation.

While certainly not without difficulties, under United Nations guidance and with the strong presence of international observers, Mozambique's first general elections in 1994 demonstrated the country's potential for peaceful democracy and the parties' willingness to make concessions to work within this new legal framework. Joaquim Chissano was elected president with 53 percent of the vote, and Frelimo won 129 seats in the National Assembly, followed by Renamo with 112 and nine representatives from the Democratic Union (UD).

By 1998, however, optimism waned as the first local elections were plagued with delays and, finally, a Renamo boycott. Recognizing the potential for a downward spiral, the National Assembly ratified a new electoral law (Law No. 3/99) prior to the 1999 general elections. In 1999, President Chissano was re-elected

by a margin of only 4 percentage points over Renamo candidate Afonso Dhlakama. Frelimo increased its majority in the National Assembly to 133 seats, followed by Renamo with 116 seats and one independent.

Following the 1999 elections, the Center recommended important changes in electoral legislation to address the irregularities observed by the Center's international election observation delegation. Proposed changes in the electoral law included: 1) clarify the eligibility of registered voters who are 18 by the time of the election although not by the end of the registration period; 2) review the system of campaign finance; 3) assure access to all aspects of the electoral process for national and international observers; 4) limit voting to a single day; 5) allow individual polling stations that genuinely need an additional day of voting due to logistical problems to be granted the extra day without burdening the rest of the country with the cost of a third day of nationwide voting; 6) expedite the counting and tabulation process by, in part, allowing decisions about null votes to be made in the polling stations; and 7) elongate the election preparation period.

INNOVATION, CHALLENGES REMAIN

In 2002, Mozambique reviewed the municipal election law and the laws governing the composition of the CNE (Law No. 18/2002, 19/2002, and 20/2002), and by June 2004, for the third time since 1999, the National Assembly adopted a new general election law (Law No. 7/2004). There were four main areas of reform: structure of the CNE, election procedures, tabulation of results, and observer roles. The Carter Center found that despite some productive revisions, many of the concerns highlighted after the 1999 elections were likely to arise again.

For example, in contrast to the Carter Center suggestion to reduce the size of the CNE, it was increased from 17 to 19 members, including a president appointed



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by the president of the republic (though nominated by civil society). The basis for the makeup of the CNE also remained partisan and tied to the proportion of seats each party holds in the National Assembly.

Ideally, CNE decisions are to be taken by consensus, but Frelimo continued to hold a majority in the CNE, and on more than one occasion, Renamo boycotted

CNE meetings when they objected to the direction of electoral policy.

A number of election procedures affecting the pre-election period were altered, including a guarantee to political parties that they could check proofs of the ballots before printing, a ban on party use of the central government's property or goods for campaigning, the

FIGURE 2: SUMMARY OF ELECTORAL REFORMS

PRINCIPAL INNOVATIONS

- Improved definition of institutional roles, inclusion of glossary of electoral terms, and clearer explanation of polling procedures
- Party symbol to be added on the ballot paper of presidential candidates
- Formal preview of sample ballot paper for lists and candidates
- Sequential numbering of ballot papers
- Five new electoral crimes introduced covering: campaign ethics, neutrality and impartiality, use of public goods, refusal to distribute tally sheets to party agents, obstruction of CNE or STAE staff
- Voting rights for polling staff, police, and journalists (but not valid for party monitors and national observers) away from place of registration
- Inclusion of a calculator in materials supplied to each polling station
- Distribution of copies of tally sheets and minutes to party agents
- Tabulation of polling station results by district
- The possibility to extend voting for a third day has been eliminated

REMAINING PROBLEMS

- No legal obligation for STAE and CNE to publish detailed polling station results and a full report of the elections within a specific time frame
- No provision to ensure the timely and transparent preparation, testing, and verification of national tabulation software
- Tabulation time frames (seven days to produce district and provincial tallies and 15 days to produce national results) remain unchanged despite Constitutional Council recommendation
- Although many registration books contain more than 1,000 names, the law states that each polling station should have a maximum of 1,000 voters
- Polls still close at 6:00 p.m., so counting will still take place in the dark



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clarification of qualifications of polling station officials (such as that at least two of the five must speak the local language), the prohibition of opinion polls from the start of the campaign period until after the declaration of results, and a clarification that *delgados de candaturas* (party agents) would receive their credentials from district election commissions.

In addition, the 2004 laws affected election day procedures, allowing polling station officials to vote at any station, thereby enabling officials deployed to stations away from their normal place of residence to cast their ballot; specifying acceptable activity and behavior within 300 meters of a polling station (notably, no voter may say for whom he or she voted or will vote, within 300 meters of a polling station, no observer or journalist may speak to voters within this area, nor can any campaign materials come within this area), and prohibiting a third day of voting. An amendment in the 2002 election law improved accountability in the counting process through the provision that all party delegates were to be given a copy of the *edital* (official tally sheet) and *acta* (formal minutes of the presiding officers).

The electoral law revisions also sought to improve the accuracy and speed of the counting process. First, the laws stipulated that the number of votes gained by each candidate must be written in both figures and words to prevent mistakes made by tired polling staff. Second, party agent copies of *actas* and *editais* can be used for the count in the case of missing documents at the provincial and national counts. Also, polling station staff was to be equipped with calculators to expedite counting. According to the electoral law, computerized results need only be available on a district basis, rather than complete individual polling station results as recommended by the Center.

In October 2004, the CNE ruled that observers would have full access to monitor the voting and counting processes at polling stations, to attain copies of the result sheets, and to accompany transport of electoral material from the polling station to the district capital and then to the provincial capital. For the

first time, the CNE welcomed observers to organize an independent parallel vote count and to compare their results to the official CNE numbers (described in more detail below). More troubling, decisions on invalid ballots—the crux of concerns with the 1999 presidential results—would continue to be made during CNE meetings closed to observers.

With the strong exceptions of inadequate observer access to the tabulation process and CNE reclassification of invalid ballots, the Center optimistically received many of these reforms but noted that no other adjustments were made in counting procedures to tackle the fundamental problems that caused errors and delays in the vote count. Changes in the design of *editais* to prevent simple errors caused by tiredness of polling staff or mechanisms for re-counts were not introduced by the CNE. The tabulation time frames (seven days to produce district and provincial *editais* and 15 days to produce national results) were not amended, although the Constitutional Council recommended doing so. Also of concern, the method for allocating the number of parliamentary seats to each province was not changed and remains to date arithmetically wrong (there are supposed to be 250 seats, but when the method was used in 1999, it led to the allocation of 251 seats, and one seat had to be arbitrarily taken away from one province to bring the number back down to 250).

The Center believes that through a renewed strategic review of the electoral law, further improvements to Mozambique's electoral process could be introduced. The experience of three general elections, the establishment of vigorous multiparty competition, the emergence of increasingly active civil society and media sectors, and the provision of significant financial and technical support from the international community provide sufficient grounds for a review. Moreover, Mozambique's neighbors in the southern Africa region provide a rich set of responses to the challenges of peaceful and credible electoral processes.



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VOTER REGISTRATION UPDATE

Voter registration in Mozambique is regulated by Law No. 18/2002 and is to be conducted by STAE on an annual basis. In practice, the voter register has only been updated before each election in 1999, 2003, and 2004.

Mozambican citizens, country residents, and citizens living abroad who are aged 18 years and older by the date of the election are eligible to register as voters. The prescribed annual updating of the voter list is conducted by establishing stations throughout the country. Typically, voter registration stations are established in local government or other public buildings such as schools and, where possible, they are to coincide with the eventual location of polling stations. In the voter registration station, officials verify and record each voter's personal information to determine eligibility, take a photograph, and issue a voter card. The voter registration staff (or brigades) consists of three members (supervisor, clerk, and photographer) at least 18 years of age. Voter registration brigade members are recruited through applications from the general public.

The CNE must inform the public of the voter registration update at least 30 days in advance, though a public information campaign and the results of the update must be published at least 55 days before the election. The results are posted at each voter registration station for a period of 10 days. After some initial delays in the electoral calendar, the CNE established a two-week period for the 2004 voter register update, June 28-July 15.

In order to see the voter registration process firsthand, The Carter Center sent a small team of observers to visit more than 150 voter registration brigades in nine provinces. The Center's observers assessed the registration process with respect to several criteria, including the organization of the registration posts, the conduct of the registration officials, the presence of party agents and observers, and citizens' overall assess-

ment of the process. Observers visited several posts each day throughout the registration update period and recorded their observation for each station. In addition to observing activities at registration posts, the delegation met with election officials, local observers, and civil society leaders throughout Mozambique. Following the completion of the process, the Center produced an interim public report and distributed it widely in Mozambique, and it remains available on the Center's Web site.

SUMMARY FINDINGS

The Mozambican voter registration update may be considered in terms of two distinct tracks. The first is the series of activities that will be called the manual voter registration update. These activities include the registration of new voters (new registrations) and voters who have changed their place of residence (transfer registrations) and the reissue of voter cards to previously registered voters (reissued registrations). The second is the public verification of the computerized registration details in the 1999 and 2003 books. This process, which will be called the computer voter registration update, is not explicitly mentioned in the law. The Carter Center's assessment of the success of these two tracks differed.

Manual voter registration update: The Center found that procedures for the 2004 registration of new voters, transfer records, and the reissue of replacement voter cards were fair and generally implemented in a uniform manner. Registration officials were generally well-trained and well-equipped to perform their task. The pace of individual voter registration was also notable, with a national average of 10 minutes to process each voter. Carter Center observers noted, generally speaking, a friendly relationship between officials and party agents. National observers were found at posts in Inhambane, Sofala, Manica, and Tete, and notably in nearly half of the visited posts, Carter



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GRANT LEE NEUBERG

A newly registered voter displays his voter card.

Center observers counted two or three women officials, and only a handful were comprised of exclusively male staff.

Stations did face some technical difficulties. For example, some brigades ran out of materials, and STAE regularly suffered from a lack of vehicles. However, the Center did not observe cases where voters could not register as a result of these difficulties. In most cases, party agents from Frelimo and Renamo-UE were present.

The Center did note a discrepancy between urban southern brigades and northern rural brigades, with the former registering nearly twice the number of voters per day as the latter, even though each brigade is responsible for approximately the same number of voters. The discrepancy was even higher in the central

provinces where urban brigades registered voters at a daily rate four times that of those in rural areas. Notably, the urban centers in southern Mozambique are Frelimo. The Center does not believe this correlation indicated partisan or fraudulent intent, although Renamo would later cite it as an example of bias. It is also important to note that regional variations in the intensity of civic education before the voter register update and longer distances to registration brigades in rural areas are possible contributing factors in these different rates of registration.

The computerized voter registration books: The public verification of the voter register is an important means of allowing voters to identify and correct entry errors, but this measure is only successful if voters understand its importance and are afforded ample opportunity to do so. The Center welcomed the CNE and STAE



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implementation of this procedure and encouraged them to make this measure standard practice in future voter registration updates.

The Center remained concerned about the credibility of the computerized voter roll. The Center observed only a limited number of voters reviewing their inscription data, and registration books were either not available for examination (15 percent of the visited posts) or were incomplete (10 to 15 percent of visited posts) for a total of 26 cases (with remarkably lower incidences in the southern provinces). In some instances, the books also appeared to have database errors such as the repetition of birth dates. The Center estimated that if these problems in the accuracy of the voter register were not fixed, legally eligible and registered voters could be refused a ballot paper at hundreds of polling stations.

RESULTS OF MANUAL VOTER REGISTRATION UPDATE

Throughout the voter registration update process, 1,245,809 people were registered. Of that number, approximately 56 percent were new registrants, 17.5 percent were transfer registrations, and 26.5 percent were reissued registrations. The preliminary STAE results indicated the 2004 voter registration update was largely consistent with the update conducted before the 2003 municipal elections. The trends in transfers and reissued registrations also appeared to have remained stable between 2003 and 2004, with the main exception of Sofala, which doubled the number of reissued registrations from 5.2 percent of the total in 2003 to 10.4 percent in 2004.

Election authorities failed to make available a final copy of the national voter register with breakdowns by province, district, and polling station. For this reason, in some cases, it is not possible to determine to what extent previous recommendations made by the Center and others were taken into consideration.

On the basis of the available data, the Center projected an estimated 8,559,620 voters were registered to participate in the 2004 elections. This projection was

Election authorities failed to make available a final copy of the national voter register with breakdowns by province, district, and polling station.

based on the addition of the updated registrations in 2003 and 2004 to the roll from 1999 minus the national Mozambican annual mortality rate of 1.5 percent for people age 18 years and older. The Mozambique National Institute for Statistics (INE) estimates that 9,511,001 Mozambicans are eligible voters. In other terms, 1999 + 2003 + 2004 registered voters – 1.5 percent of eligible voters = projected registered voters for 2004 (8,559,620).

The registered voter total therefore indicated an impressive registration rate of 90 percent of the total estimated eligible voter population. However, this figure is higher than the official registration rate in 1999 and 2003 and may indicate that many of the approximately 8.5 million registered voters were double entries or that the names of dead voters remained on the register. Again, this does not necessarily indicate a fraudulent intent to inflate the voter register, as it may have been an attempt to ensure that as many eligible voters as possible would be able to vote in the 2004 elections.

RECOMMENDATIONS

Over the course of 2003-2004, the Center strongly encouraged Mozambique's electoral authorities to continue improving the voter register to avoid inflation of registration data and disenfranchisement of eligible voters and to improve the transparency of the voter registration process by publicizing the steps undertaken to give voters the opportunity to check their names on the register.

Electoral authorities were further encouraged to dedicate adequate resources to conduct the following:

- 1) a thorough cross-check of all voter registration



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brigade supervisor reports, 2) a review of the manual voter registration books, 3) an integration of the multiple voter registration databases, 4) a sample-based audit of the voter register entries, 5) the implementation of the previously announced distribution of the voter roll to political parties, and 6) the publication of the criteria or formula used to determine the number of brigades per province (e.g. estimate of new voters, population density, transport requirements, and infrastructure, etc).

The Center recognizes that a full comparison of all entries in the computerized books with the original information is a costly and labor-intensive exercise. The Center recommended a sample-based audit: either an area-based comparison, referencing voter registration trends since 1994, or a sample-based audit of information from the database, checked against the information of selected voter cards. Despite positive reactions to these proposals, with ample support of civil society organizations, political parties, and the STAE director-general himself, an independent audit never took place.

In the proposed cross-checks, the Center urged STAE to focus on the elimination of double registrants in the computerized voter roll as the number of voters per province determines the proportional distribution of seats in Parliament. The Center did not receive any evidence that STAE undertook sufficient steps to ensure a credible and correct voter register.

The Center also recommended closer institutional collaboration to reconcile differences between National Institute for Statistics population projections and STAE estimates of the voting population as the INE was found to have the most accurate statistics on voter population and registration in Mozambique. Finally, the Center recommended that STAE analyze demographic data to adjust registration post distribution as well as civic education strategies.

ROLE OF ELECTION OBSERVERS

Consistent with international practice, The Carter Center firmly believes in the importance of a credible voter register as the basis of equitable access to the voting process and electoral choices that reflect the will of the people. Observation of voter registration is therefore a legitimate activity, and appropriate access should be accorded to international and domestic observers.

In addition to direct observation of the 2004 voter registration update, The Carter Center sought to use the period as an opportunity to strengthen collaboration with domestic observers in overall support of their efforts and preparations for the 2004 elections. Despite positive relationships with many key electoral authorities, the Center found a need for greater understanding of the role of international election observers (including pre- and postelection observation) in many districts. Although properly accredited by the national election authorities, Center observers often were received with distrust and insecurity on the part of local electoral officials. Indeed, many district and local officials were unaware of the CNE regulations regarding international and domestic election observers. The Center proposed that these regulations and more information on the rights and responsibilities of election observers should be communicated more thoroughly during the training of election officials and supplemented with the proper distribution of CNE observation regulations to district and local officials.



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CAMPAIGN FINANCE

In order to understand the role of money and politics in Mozambique, The Carter Center sent a political finance specialist to conduct interviews with political party representatives; the CNE; and representatives of the international community, media, civil society, and social scientists. The interviews focused on the sources for political finance and main elements of expenditure, with questions on the independence of oversight bodies, the role of donors, and the relevance of the issue in national politics. Additional research based on legislative analysis and newspaper reports supplemented these interviews. The complete report, from which highlights are included here, is available on the Center's Web site.

WHAT THE LAW SAYS

The Rome peace protocols and the 1991 party law established basic regulations about political funding that remain today (See Table 1). Mozambique's law contains few prohibitions on sources of funding and does not limit private donations or campaign spending. This openness to possible donors applies equally to campaign finance and funds for party development. The law identifies a range of public subsidies, including public funding, free access to public radio and television in election periods, and tax exemption for the parties. Although it does not specify the amount of public resources to be allocated, there are clear rules on its distribution. While campaigns receive equal support, past electoral success determines party access to funds.

The peace agreement also included financial transparency as a necessary requirement for party activity. Despite its clarity, this rule has yet to be implemented, and the funding of parties is inadequately documented. While the CNE is expected to provide oversight, its composition of party representatives, based upon legislative representation, means the majority of members are from the governing party. Although impartial oversight

is possible, any decision favoring the governing party could be received with skepticism, particularly where the vote is split along party lines.

Mozambique's electoral code permits sanctions such as imprisonment or fines, but they have not been applied.

PRIVATE FUNDING PRACTICES

Self-finance: Both the social structure and the institutional environment hinder the extensive use of candidates' own wealth for politics. Although it reversed the nationalization of private property starting in the 1990s, Mozambique remains a very poor country where business is dependent on the state. The country lacks a large, powerful, and thriving economic class with a vocation to engage in politics. The use of personal wealth is limited in legislative elections since candidates run on a closed party list and parties, rather than candidates, are the focus of the campaign. Presidential candidates have more incentive to invest personal wealth. In the 2004 elections, businessman and Frelimo presidential candidate Armando Guebuza was able to self-finance his campaign. However, since his party had substantial access to other resources, the Guebuza campaign did not need a large share of personal funds.

The lack of transparent decision-making during the composition and ranking of the Renamo party list caused internal frustration and speculation about whether money had influenced nominations, but observers suggested personal networks were likely more influential. For its part, when forming party lists, Frelimo examines a variety of criteria beyond the potential candidate's capacity to self-fund the campaign.

Membership fees: Frelimo is the only party to raise a considerable amount of funds from its base of supporters. Frelimo has evolved from a cadre organization into a mass party. As a result, the number of party members increased from 100,000 in the late 1980s to



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2 million members today. The party has also made a systematic effort to raise funds from party members, and membership fees now fund ordinary costs of the party. Membership dues are calculated in relation to workdays, averaging about 5 percent of salary. Many state employees are Frelimo members, thus guaranteeing Frelimo some public sector funds. Annual membership fees from all members are estimated to be \$1.5 million.

Membership fees play a minor role in opposition party funding because partisan hiring practices mean few opposition members obtain the relatively well-paid public sector jobs. Compared to Frelimo, Renamo's members pay a monthly fee of just 1,000 meticaïs, or 50 cents a year. Unconfirmed reports indicate Renamo charges more significant amounts of money from elected deputies in the legislature. Given the extensive poverty in Mozambique and the limited size of party memberships, smaller political parties cannot count on grass-roots funding.

Economic investments: Frelimo is the sole organization with incipient experience in fostering economic activities as a means of party finance. Numerous sources report Frelimo holds real estate. Party headquarters in Maputo are in a modern building, which is rented out to private tenants and to a café. Experience in the city of Beira, where Renamo won the municipal elections in 2003, corroborates this practice. When Frelimo yielded administrative control of the municipality, the party argued that a number of buildings used by local government were owned by Frelimo and charged the new municipal administration with the costs for renting them.

Renamo also owns real estate with party headquarters in the capital and provinces. Part of this capital stems from the trust fund responsible for financing Renamo's transformation from a movement of armed rebels to a political party in the early 1990s. The party headquarters in Maputo have modest facilities, are located in a middle-class neighborhood, and are in sharp contrast with the impressive Frelimo building. There are no signs Renamo or any other party is able

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A Frelimo campaign truck, flags, and supporters in party T-shirts illustrate the strength of the party's resources.

to raise funds from other economic activities.

Private donations: Frelimo is the only party with broad access to private sponsors. This access is linked to the special protection the state—under Frelimo leadership—can give to private investors. Because large parts of Mozambique's formal economy depend on government for licenses, tax exemptions, subsidies, or credits, the government's discretionary power determines the success or failure of an investment. Although such transactions are not documented, it is widely assumed the state selectively offers credits to party members and friends of the party. Party members owning profitable economic undertakings are often willing to let Frelimo share in their success, which some Mozambicans view as a form of "payback."

During an electoral campaign, the business community is invited to contribute to the governing party. Urban fund-raising events are disguised as invitations to discuss economic policies, while in the countryside, businesspersons are solicited for contributions. Refusing these invitations reportedly produces negative consequences for business. Experts said corporate donors to Renamo commit economic suicide, but in



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TABLE 1: LEGAL PROVISIONS ON POLITICAL FINANCE IN MOZAMBIQUE

	Party finance	Campaign finance
Legal sources	Party Law (Art.17) enumerates legal sources of party funding: membership fees, donations and legacies, and public funding. A fourth category of “other sources” is undefined.	Electoral Law defines legal sources of party funding: candidates and parties who own resources; donations from national or foreign parties, national or foreign nongovernmental organizations; citizens and foreigners; campaign fund-raising activities; and public funding.
Veto, limits, and ceilings	Rome Protocols 1992 do not mention prohibitions. Party Law (Art. 19) prohibits donations from state institutions (except official funding), from foreign governments, and from private institutions of public utility.	Electoral Law (Art. 35, 40) prohibits contributions from state institutions and foreign governments. Contrary to party law, private institutions of public utility are not banned from contribution. In fact, NGOs are explicitly included above as a legal source. The sanction for undue use of public facilities (Art. 186) is a fine and imprisonment up to one year. No sanctions are provided in case of illegal funding.
Direct public subsidies	Rome Protocols mention direct budget support. Party Law (Art. 17) also refers to regular support with public funds, based on proportional representation in the National Assembly.	Rome Protocols mention support for parties, based on number of candidates. Electoral Law (Art. 36) states distribution of funds for legislative election has to take into account criteria of representation in Assembly and number of candidates of each party. This implies that resources for presidential election have to be allocated equally among all running candidates.
Indirect public support	Rome Protocols mention fair access to media and tax exemption. Party Law (Art. 15) exempts parties from customs duties and other taxes on a number of economic transactions. These exemptions do not apply to profit-making activities of the parties.	Rome Protocols propose access to public broadcasting systems should be free of charge. Electoral Law (Art. 29) states presidential candidates and parties are entitled to use public broadcasting systems (television and radio), leaving the regulation of access to the CNE.
Accountability and transparency	Rome Protocols mention transparency requirement. Party Law (Art. 16, 18-21) obliges parties to report annually on party accounts, including detailed information on funding sources and disbursements; to publish the accounts in the official gazette; to register all donations and legacies; and to hold internal records on all properties.	Electoral Law (Art.37-39) states candidates and parties have to render accounts on all revenues and expenditures within 60 days of the official announcement of the election result. After receiving these accounts, the CNE rules within another 60 days on their regularity and publishes its decision in the official gazette.
Oversight and sanctions	Oversight is unclear. Party Law (Art. 20) states that party accountability is ruled by the norms of government accountability. This suggests parties have to render accounts to the office in charge of the government audit (<i>Tribunal Administrativo</i>).	Electoral Law states the CNE is the central oversight institution for all issues linked to elections. However parties can appeal CNE rulings with the Constitutional Council. Sanctions are usually limited to small fines and in some cases include imprisonment. Failure to hold records on campaign finance is charged with a fine. Failure to render accounts may impede right to participate in the next election. Cases of parties or candidates with irregular accounts are reviewed by the attorney general. Nonapproval of accounts does not appear to result in docking of public resources.



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reality, this is unclear. Renamo has traditionally received donations from private investors and merchants who oppose the Frelimo government, notably the Portuguese business community and supporters in neighboring African countries.

Among the smaller parties, the Party for Peace, Democracy and Development was a new party led by Raul Domingos, whose experience and international contacts helped him organize and capitalize the PDD campaign. One source reported the PDD rapidly strengthened its party organization and infrastructure by building on the social network of a former non-governmental organization founded by Domingos and also by acquiring real estate for party headquarters in the provinces. Sources also suggested the PDD received a donation of more than \$2 million from a foreign bank, but without full disclosure, this cannot be confirmed. Another small party, the Independent Party of Mozambique, reportedly received support from business leaders linked to the national and international Muslim community.

PUBLIC FUNDING PRACTICES

Direct budget subsidies: Public support to parties includes direct resource allocation and indirect support. Direct annual budget support allows parties to engage in ongoing party-building activities. Although the amount is not defined by law, there are rules concerning the allocation of funds to parties: Only parties represented in the National Assembly are entitled to support, and funds are divided in accordance with the proportion of seats each party holds in the National Assembly. Frelimo and Renamo receive funds from the state budget amounting to approximately \$1.5 million per year, per party.

During an election year, parties receive additional funds. The total amount of public resources for the 2004 elections was \$2.2 million from a combined source of international donors and the Mozambique government's national budget. As specified by law, the bulk of public funds for campaigns is allocated in equitable terms:

- One-third of the total amount was reserved for

The use of personal wealth is limited in legislative elections since candidates run on a closed party list and parties, rather than candidates, are the focus of the campaign.

the presidential campaign (each of the five parties with a presidential candidate received \$150,000).

- One-third goes to parties with candidates running in legislative elections. Since parties may field candidates in only some of the electoral races, the amount of funds is proportional to the number of candidates the party runs.

- The last third follows the distribution criteria for annual public resources: Only parties represented in the National Assembly are entitled, and the allocation of funds follows the proportion of seats (only Frelimo and Renamo-UE qualify for these funds).

Indirect public funding: There are two indirect forms of public support to parties and campaigns in Mozambique: free space for advertisement on public radio and television and tax exemptions. Media space is allocated equally to each party, and parties with presidential candidates each receive five minutes of airtime per day, as do parties with legislative candidates. Unlike direct financial support, the number of candidates nominated by each party does not temper equity, and even small parties who run in only a few races receive equal space on radio and television.

However, free media is a double-edged sword. On the one hand, free access to media ads is an important resource. On the other, the making of television and radio ads is very expensive. Only Frelimo, Renamo, and PDD are able to produce television spots of high quality. Both Frelimo and Renamo hired professional services to produce these pieces and update the spots daily. Other parties either produce poor television ads or are unable to use the space at all. Two weeks before the elections, six parties had not yet presented any footage to fill their free ad space on television.



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The use of state resources by members of the ruling Frelimo party appears to be a deeply embedded practice.

By law, free media access is limited to the public television and radio stations. Although the law allows for additional ads on private stations, parties typically do not buy extra time since electronic and print media do not have far-reaching coverage outside the main cities.

Another variant of indirect public support is tax exemption. One argument to justify this special treatment lies in the noneconomic character of party organizations. Another is that taxation and the oversight activities it requires could eventually result in undue control of political organizations. Tax exemption is meant to preclude parties from this kind of censorship.

IMPROPER FUNDING PRACTICES

Abuse of state resources: There are four types of allegations concerning improper funding in Mozambique. First, the governing party is accused of using state resources for its own interests. This may include use of public vehicles during the campaign, expensive travels of public authorities to distant places with a campaign agenda, and other campaign benefits. One example was a so-called goodbye trip of President Chissano to all provinces, where he presented his candidate, Guebuza, as a natural successor. In addition, Carter Center electoral observers reported several cases where official vehicles were employed in party rallies and convoys. The use of state resources by members of the ruling Frelimo party appears to be a deeply embedded practice.

Fraudulent use of tax exemption: Tax exemption abuse is reportedly a major source of improper revenue for some parties. Since many economic activities are linked to import and export transactions, the parties' import duty exemption makes them a potential vehicle

for tax-free imports that have no legitimate connection to the parties' political function. Several reports on parties' tax-free import and resale of goods on the local market support allegations that parties do sometimes use their tax-exempt status for purely commercial transactions. Frelimo reportedly imported 300 tons of paper for party use, but the material was later sold on the local market by a university paper store. This form of "legalized smuggling" includes manufactured products like vehicles, paper, building material, and even perishable goods.

There is also evidence of undue use of customs authority to favor Frelimo. The Center was told of a case in which a small party tried to import 500 television sets, but the customs authority denied this application. Another party reported that an importation of construction material worth \$600,000 was refused. There is broad awareness of the discretionary power of the state apparatus in either refusing or admitting applications for imports in the name of political parties.

Delays in allocation of public subsidies: Parties reported delays in the allocation of public funds. It is not clear whether this was due to an overall culture of last-minute solutions or whether specific parties had been targeted. In any case, small parties are more affected by these delays since they have no capital stock to prefinance expenses until the paperwork giving access to public funding goes through the bureaucracy.

Unbalanced media reports: The abuse of public media to promote government candidates has been denounced on a number of occasions. Early in the campaign, broadcast coverage on government-owned Radio Mozambique and on the national public television station TVM was biased in favor of the government, and the weekly newspaper Domingo featured Frelimo and its presidential candidate disproportionately. Later campaign coverage improved somewhat. Casual observation showed the three most important presidential candidates were covered in a reasonably fair way on public channels. Although some opposition supporters complained that TVM's cover-



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TABLE 2: RULES ON ACCOUNTABILITY, OVERSIGHT, AND TRANSPARENCY OF POLITICAL FINANCE		
	Party resources Rome 1991, Party Law 1991	Campaign resources Electoral Law 2004
Public funding	Annual disclosure of accounts Detailed information on funding sources Subject to government audit rules	Prequalification for public funding Several installments with intermediate accountability Subject to oversight by National Elections Commission
Private funding	Annual disclosure of accounts Detailed information on funding sources Individual registration of donations necessary Subject to oversight by government	Accounts on campaign 60 days after election Subject to oversight by National Elections Commission

age of Frelimo's past activities was inappropriately presented as news and that the Frelimo presidential candidate, Armando Guebuza, was favorably presented, no outright omission or entirely unfair treatment of opposition candidates was documented. Observers reported that campaign coverage by public radio was more balanced than television.

WEAK TRANSPARENCY IN POLITICAL FINANCE

Political parties only care about the transparency requirements for public funding when they are enforced. While the law imposes strict rules about transparency of public funds for parties and campaigns, *de facto* public oversight is weak (see Table 2). There are also different rules for accountability concerning public and private funds, and despite the legal provisions requiring disclosure of public funds, political

parties do not feel obliged to render accounts on private resources for election campaigns. As far as party finance beyond the electoral campaign period is concerned, parties do not comply with the legal obligation of rendering annual accounts of public and private funding, nor do they register private donations as is required by law.

The CNE is the most important oversight body on political finance, but it does not publish the content of reports delivered by parties to account for their resources. The public is only aware of whether accounts have been accepted or rejected. International institutions in Mozambique are concerned about this lack of transparency, but local civil society organization leaders have not yet focused on this issue, and citizens seem unaware of the limited accounting rendered by political parties receiving public funds.



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PRE-ELECTION OBSERVATION

The Carter Center began to prepare its long-term deployment to observe the electoral process shortly after the voter registration. From the beginning of the mission, the Center made clear to the CNE that it was committed to observing the entire electoral process, including the political campaigns, election preparations, polling, counting, and the tabulation of results. Access to all elements of the process and mobility for observers were among the main points discussed with CNE.

In September, the Center held a round of meetings with electoral authorities, political parties, and domestic observers to assess the status of the preparations of the general elections. Once again, all political parties welcomed the Center's involvement, and the CNE issued a formal invitation to the Center on Oct. 26, 2004 (see p. 67).

In mid-September, the Center visited the foreign voter registration posts for Mozambican residents in Swaziland and South Africa. Voter registration update posts at the Mbabane Consulate (Swaziland), Elansrand Gold Mine (Carltonville), and Pretoria General Consulate showed very little participation, despite STAE's efforts to promote voter registration for the newly created two National Assembly seats for overseas voters. Party agents appeared to be trained adequately and informed of registration procedures, and no major incidents were reported. Opposition parties argued the voter registration update violated CNE regulations by setting up registration posts not only in embassies and consulates but in other nonofficial locations such as the mines in South Africa (where many migrant workers from Mozambique are employed). Nevertheless, the process was approved by the CNE, and overall, 46,966 Mozambicans were newly registered.

In early October, the Center recruited a team of nine long-term observers. The team received an intensive two-day training at a rural post in the district of Matutuine, covering observation methodology and

logistics, and a full-day workshop with electoral authorities, Mozambican academics, domestic observers, and political party representatives.

OBSERVATION METHODOLOGY

The Center's deployment plan for long-term observers covered all 11 provinces (including Maputo city) and ensured that more than 50 urban and rural districts were visited.

The long-term observers were deployed to assess civic education campaigns, to advance election preparations, and to collect logistical information for future deployment. On Oct. 17, when the formal electoral campaigns started, the observers received their formal CNE accreditation. However, based on the advance visits throughout Mozambique, the Center noted that some parties were clearly campaigning before the legal starting point established in the electoral law.

The Carter Center's long-term observation reported on five main issues: civic education, political environment, organization of political parties, role of civic organizations, and administration of the electoral process. In close collaboration with the Electoral Observatory (a consortium of civil society organizations and religious groups formed for election observation), the Center's observers gathered relevant information on the general status of the preparation of the election. Over the course of 2003-2004, the Center worked closely with the Electoral Observatory, providing technical assistance for the conduct of parallel vote tabulation, collaborating on several workshops on election and democracy issues, and providing training on long-term election observation.

During the campaign period, observers held meetings with a wide range of stakeholders, including electoral authorities, political party representatives and candidates, civil society organizations, journalists, businessmen, and traditional and religious leaders, among others. On Nov. 16, the Center issued a statement



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FIGURE 3: MEMBERS OF THE ELECTORAL OBSERVATORY

- Christian Council
- Islamic Council
- Catholic Bishops Conference
- Human Rights League (LDH)
- Mozambican Association for the Development of Democracy (AMODE)
- Center for Studies in Democracy and Development (CEDE)
- Organization for Conflict Resolution (OREC)

announcing that President and Mrs. Carter and former Benin President Nicéphore Soglo would lead a 60-person delegation for the December elections. While the general environment was calm, observers found some signs of intimidation. The electoral code of conduct signed by all political parties seemed to be little known and thereby weakly respected by most political activists.

SUMMARY FINDINGS

Peaceful political environment: The Center's observers found the overall political environment generally peaceful, and major political parties campaigned actively in almost all provinces. Even in highly contested districts, the Center's observers saw door-to-door campaigning by smaller parties, and the Center's observers were generally well-received with those interviewed willing to speak openly about the challenges faced in their districts. Most respondents characterized the political environment as less tense compared to previous elections. Indeed, in one district, the major parties reached an explicit agreement on a campaign time line to schedule their respective activities. Also of importance, women were visible participants in the campaign process.

Intimidation and difficulties campaigning were reported in some districts, and although respondents tended not to describe the incidents as major violence, in some areas political actors felt they were unable to reveal their political views without fear of intimidation. Notably, opposition parties described political space as "limited or very limited" in some districts in Tete, Gaza, Niassa, and Cabo Delgado. In some of those cases, opposition parties reported they encountered difficulties setting up offices and were subjected to verbal provocation and in some instances, stabbings and assaults. In a series of incidents on Mozambique Island, off the coast of the northern province of Nampula, supporters from Frelimo and Renamo threw stones at one another, engaged in a standoff when their respective motorcades refused to let the other pass, and exchanged accusations of defamation.

Early in the campaign period, political rhetoric threatened to spiral out of control when Renamo leader Afonso Dhlakama threatened that the country would slide back into war unless the people voted for the opposition. Frelimo candidate Armando Guebuza replied that such politicians "are lying, because they cannot wage war in Mozambique. The war is over, and this is not the time for more violence."

All political parties signed an electoral code of conduct on May 14, 2004. Articles in the code included a commitment to resolve electoral conflicts through dialogue, cooperate with the electoral authorities, and renounce the use of false or defamatory allegations, intimidation tactics, and bribery. Although it held no legal weight, if effectively publicized, such codes hold the potential to delineate effective ethical parameters and can encourage more tolerant political discourse and behavior. Unfortunately, the Center's observers found that the code was not properly distributed among parties and, therefore, was applied only inconsistently.

In a Nov. 22 press release, the Electoral Observatory expressed serious concern with the conduct of political parties during the campaign. They singled out the use of youth to destabilize their opponents' campaign events, in contravention of the code of conduct, as well as



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PROFILES OF PARTIES 2004 PARLIAMENTARY ELECTIONS

(In order of the official ballot paper)

1. **Renamo-Electoral Union** is a coalition between Renamo and 10 other opposition parties. As in 1999, Renamo reserved two places for each of the parties. In 1999, Renamo-UE received 38.79 percent of the vote for Parliament. For 2004, Renamo's unchallenged leader and presidential candidate was Afonso Dhlakama (see profiles of presidential candidates, page 41).

2. **Frelimo** (Mozambican Liberation Front) is the former liberation movement in charge of government since 1975. President Joaquim Chissano, party leader since 1986, announced after the 1999 elections that he would not run in 2004. In 2002, the party congress elected Armando Guebuza secretary-general and Frelimo's presidential candidate (see profiles of presidential candidates).

The following parties did not meet the threshold of 5 percent of the popular vote to gain parliamentary representation:

3. **PDD** (Party for Peace, Development and Democracy) is led by Raul Domingos, former chief of staff of the Renamo army in the civil war and head of the negotiation team during the 1992 peace agreement with the government. Domingos led Renamo's parliamentary wing from 1994 until his 2000 expulsion from the party by Dhlakama. Although some expected PDD to attract support from frustrated Renamo members, the party failed to pass the 5 percent threshold.

4. **PARENA** (National Reconciliation Party) ran in all 11 provincial constituencies. PARENA is running for the first time.

5. **SOL** (Social-Liberal Party) ran in all 11 provincial constituencies. The SOL won 1.7 percent in 1994 and 2 percent in 1999.

6. **Ecological Party-Land Movement** ran in all

11 provincial constituencies. It is one of Mozambique's three ecological parties but lacks a visible ecological message.

7. **PIMO** (Independent Party of Mozambique) ran in all 11 provincial constituencies. Of the established minor parties, PIMO is one of the few that proved able to win in the November 2003 municipal elections when it won three seats in municipal assemblies (in the northern towns of Nampula, Angoche, and Cuamba). PIMO won 1.2 percent in 1994 and 0.71 percent in 1999.

8. **PASOMO** (Social Broadening Party of Mozambique) ran in all 11 provincial constituencies. The party won only 0.05 percent of the vote in 1999.

9. **PVM** (Green Party of Mozambique) ran in all 11 provincial constituencies. PVM is one of Mozambique's three ecological parties and does not have any electoral record apart from a 0.27 percent showing in the 2003 election for the Maputo municipal assembly.

10. **PARDE** (Democratic Reconciliation Party) ran in all 11 provincial constituencies.

11. **PT** (Labour Party) ran in six provinces. PT stood in previous elections, taking 0.6 percent in 1994 and 2.7 percent in 1999. It stood in several municipalities in the 2003 municipal elections but did not win a single seat.

12. **PPD** (Popular Democratic Party) ran candidates in Maputo city and the two diaspora constituencies.

13. **FAO** (Broad Opposition Front) is a coalition between the FL (Liberal Front) and the PAC (African Conservative Party). FAO ran only in Inhambane and Maputo city.

14. **MBG** (United Front for Change and Good Governance). MBG is a coalition between UNAMO (Mozambique National Union) and PARTONAMO (Party of All Mozambican Nationalists) and ran in



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all provinces except Inhambane and Maputo city.

15. **CDU** (United Congress of Democrats) broke away from PALMO after the 1999 elections and appeared only on Zambezia's ballot paper.

16. **PAZS** (Party of Solidarity and Freedom) stood in all provinces except Cabo Delgado, Tete, Manica, and Gaza. This party ran for the first time in 2004.

17. **UD** (Democratic Union) ran in all provinces except Niassa and Cabo Delgado. In 1994, a coalition called the Democratic Union (UD), formed by the Liberal and Democratic Party (PALMO), the National Democratic Party (PANADE), and the Mozambican National Party (PANAMO), took 5.15 percent of the vote and won nine seats. After some parties broke with UD before the 1999 elections, its share of the vote declined to 1.5 percent, and it lost all of its seats.

18. **PALMO** (Liberal and Democratic Party of Mozambique) ran only in Niassa, Cabo Delgado, Nampula, Gaza, and Maputo provinces. In 1999, PALMO broke with the UD and won 2.5 percent.

19. **USAMO** (Union for the Salvation of Mozambique). A coalition between PADRES (Democratic Alliance for Social Restoration), PSM (Socialist Party of Mozambique), PSDM (Social Democratic Party of Mozambique), and UM (Union for Change), USAMO ran in all provinces except Inhambane, Gaza, and Maputo.

20. **PADELIMO** (Democratic Liberal Party of Mozambique) ran for all provinces except Nampula, Zambezia, Tete, Sofala, and Inhambane. PADELIMO won 0.8 percent of the vote in 1999.

insults and intimidation in campaign rhetoric.

The use of and access to public resources were additional flashpoints during the campaigns. Opposition parties regularly complained of Frelimo use of state resources for party purposes (e.g. use of

state vehicles for party campaign, Frelimo campaign posters and flags posted to public buildings), unequal opposition-party access to public spaces for campaigning, as well as unequal public media coverage of the different party campaigns.

On Sept. 23, the CNE adopted a code of conduct for political parties, candidates, and other political groups (Deliberation 34 of 2004). While this code was comprehensive in its description of prohibited behavior, it did not establish a clear monitoring and mediation responsibility in the event of infractions.

Perhaps of greatest concern is the sense that while the general political atmosphere was calm, there remains an underlying current of tension and suspicion in Mozambique's politics. To be sure, Frelimo has by far the best-organized party structures, evident in the quality of their campaign materials and rally organization, and so it follows that they are able to appeal more effectively and persuasively to the people.

However, Frelimo exercises its influence in many subtle, and often institutionalized, expressions as the party in power. For example, a local public official makes an administrative decision based on a partisan interpretation of the law and receives backing from the police, or a civil servant campaigns openly for the opposition and receives a warning to stop or face transfer to a less desirable district. Thus, the public institutional space, not just the physical world of buildings and resources such as vehicles but of political regulation and behavior, tends to be dominated by one party. The consequence for Mozambique's political development is that even if authorities conduct an election that more or less complies with the procedures required by law or accepted international practices, this electoral democracy does not necessarily guarantee the democratic transformation of the state and politics. The challenge of building a democratic politics is more difficult to assess since it requires a keen understanding of context, language, culture, and the many subjective components that enable Mozambicans to make moral sense of their world.

Role of observers: On occasion, election observers



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can find themselves caught up in the dynamics of the political situation. One such incident occurred in Tete province when the provincial Elections Commission (through the local press) accused the Center's long-term observers of partisan behavior by conducting a meeting with Renamo activists inside an electoral building. In fact, Renamo had no formal representation or offices at the district level, and the meeting took place with the mutual agreement of both parties (Frelimo and Renamo) represented on the electoral commission. Indeed, the CNE's directive of Nov. 18 explicitly stated that observers may be present at meetings and campaign activities in closed or restricted areas. This issue was later clarified with the provincial authorities and closed without further complaint, but it illustrated the importance of good communication regarding the independence and neutrality of the Center's role as election observers, especially when political competition is intense.

Election preparations: The Center's observers reported that the training for polling officials proceeded without major incident, although Renamo representatives in some provinces claimed that the recruitment process was not fair or transparently conducted. The most consistent complaint of STAE officials was inadequate transport. Overall, the Center's observers reported general public confidence in STAE efforts to ensure that the supply of election equipment, materials, and staffing were on track for the Dec. 1-2 elections.

One notable oversight was that despite the close result of the presidential election in 1999 and the uncertain level of support for a credible third candidate, Raul Domingos, STAE, and the CNE did not undertake any planning for a possible second round. In the event that no candidate secures more than 50 percent of the vote, the electoral law calls for a second round between the top two candidates to take place within 21 days of the announcement of results from the first round.

Inadequate voter register: Sufficient information was not always forthcoming from the CNE. The CNE's repeated reluctance to provide a detailed list of polling



PHOTOS: GRANT LEE NEUBERG

ABOVE: The former Renamo politician, Raul Domingos, stood as presidential candidate for his newly formed Party for Peace, Democracy and Development.

RIGHT: Frelimo campaign posters promote the party, outgoing President Joaquim Chissano, and presidential candidate Armando Guebuza.



BELOW: Third-time Renamo presidential candidate Afonso Dhlakama was the main challenger to Frelimo in 2004.





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PRESIDENTIAL CANDIDATE PROFILES

Armando Guebuza was born on Jan. 20, 1943. During the years prior to independence, Guebuza was involved in active guerrilla fighting, rising to the rank of general. Since Mozambique's independence, he has occupied high-level government positions such as minister of interior and vice minister of defense, among others.

During the collapse of the Soviet Union, Guebuza was one of the first Mozambican leaders to recognize the need to establish a multiparty market system and to create links with U.S.-based international financial institutions such as the World Bank and the International Monetary Fund. Guebuza benefited from the privatization of state-owned companies and is considered one of the wealthiest Mozambican citizens.

He enjoyed very high approval ratings from the party's congress for his presidential candidacy, and he was described as a hard-liner and a nationalist with a populist authoritarian style. His preference for nationalist economic policies has raised some concerns among the international community. At the same time, he is viewed as a reformist who can implement effective policies to address problems such as crime and corruption.

Raul Manuel Domingos, presidential candidate for the Party for Peace, Development and Democracy, was born Oct. 14, 1957, in Tete province. Renamo's most popular figure after its leader Afonso Dhlakama, he won renown first as a military strategist and then as a skilled political negotiator.

Captured in 1980 by Renamo, he joined the guerrilla movement where he was soon noticed for his talents as a military strategist and given military

promotion until, in 1987, he won promotion as Renamo chief of staff. He relinquished his military leadership in 1989 and became head of the Foreign Relations Department.

In 1991, Domingos led the movement's delegation to the Rome peace talks, and his display of successful negotiating skills contributed to his portrayal as Dhlakama's rival. In the October 1994 parliamentary elections, Raul Domingos was elected MP for Sofala province and was appointed president of Renamo's parliamentary group. In 2000, Dhlakama expelled Domingos from Renamo, as he saw his success and rising popularity as a threat for leadership within the party.

Afonso Macacho Marceta Dhlakama was born Jan. 1, 1953, in Sofala province. He was called to serve in the Portuguese colonial army and fought in the infantry until 1974, when he joined the Frelimo forces battling for independence.

During the transitional government set up in September 1974 prior to independence until 1977, Dhlakama was head of the logistics department for government troops in Sofala province. It was during this posting that he met the future leader of Renamo, André Matsangaisse, and came to share a growing opposition to what they considered to be the authoritarian leanings of the new regime. In October 1979, Matsangaisse was killed, and Dhlakama took over the leadership, becoming president and commander-in-chief of the Renamo forces. Dhlakama led the peace talks and was the signatory of the 1992 General Peace Agreement in Rome.

In the October 1994 presidential race, Dhlakama won 33.7 percent of the vote as Renamo's presidential candidate. He ran again in the 1999 elections and secured 47.7 percent of the vote.



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stations with their corresponding register book numbers foreshadowed a number of impacts for the polling process. Political parties have a direct interest in knowing where voters are located if they are to get their message out to active and potential supporters. In previous public reports, the Center expressed concern over the geographic distribution of polling stations and the considerable distances that voters had to travel in some rural areas. Secondly, election authorities can only plan effectively if they know how many polling station kits and ballot papers need to be supplied based on the distribution of voters. The ongoing STAE effort to computerize the voter list and to base a results database on a national, consolidated voter list was also affected by the apparent inability to produce the list. Moreover, this information is of public interest.

After the completion of the voter register update in July, central STAE, in coordination with United Nations Development Program technical advisers, conducted a consolidation of the electoral register in order to eliminate duplicate entries, mistakes in spelling names and birth dates, and other entry errors. Although the status of these efforts was periodically presented to observers and the international community, by the date of the election, the consolidation of the list was reportedly concluded but not yet systematically implemented and communicated to the provincial election authorities. On Nov. 4, the CNE published a partial 2004 voter list, but it was not broken down by polling station. In spite of the insistence on the part of both domestic and international observers, the final list was never provided by the CNE.

No single voter list consolidating the 1999, 2003, and 2004 voter registers was approved by the CNE, although the director-general of STAE claimed on at least one occasion that a single computerized voter list existed. At the same time, one senior Frelimo member of STAE described the voter register as confidential, and even as classified, state information.

Civic education: The Center's general assessment of the civic education campaign is that it was acceptable, although delays in the distribution of civic education

materials, lack of sufficient equipment, and logistical constraints had an impact on its national coverage and depth, especially in rural areas of the central and northern provinces. Given the low voter turnout, which, though varied throughout the country, hovered around 40 percent, the real impact of the civic education methodology remains questionable.

Civil society involvement: In addition to STAE's civic education efforts, the active involvement of some civic organizations, notably the Civic Education Forum (FECIV), was a positive sign of state-civil society collaboration. The cooperative network of nongovernmental organizations engaged in domestic election observation under the umbrella of the Electoral Observatory was a second positive example of the increasing scope of involvement of civil society organizations in the electoral process. The Electoral Observatory enabled diverse organizations to pool their resources and initiate a more comprehensive election assessment than any of the individual groups could have done on their own. The Carter Center's observers maintained a close partnership with these organizations and their members, both at central and local levels. Carter Center staff was able to work in a genuinely cooperative effort with the Electoral Observatory, sharing information, providing skills, and building capacity.

Nevertheless, civil society organizations hoping to tap into the political space enabled by Mozambique's turn to multiparty democracy remain highly dependent on donor agencies, and in most cases, the groups remain focused primarily on elections. In addition, some organizations raised concerns over what was described as a thin delimitation between the preferred neutrality of civic education and the political interests of some agents. In some cases, the Center's observers received complaints about biased recruitment of these agents. While it is difficult to state definitively if some civic organizations were consciously partisan, insufficient supervision, inadequate resources, and transportation limitations reveal the overall weak structural condition of civil society organizations and those who work for them. Elections tend to result in more



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donor funds for civil society groups, but these funds sometimes arrive late in the process, organizations may lack the capacity to spend them effectively when they do arrive, or their previous access to fewer resources impacts negatively on their ability to sustain reliable programs with broad geographic coverage.

Media coverage of campaigns: The Center's pre-election observers received complaints about biased media coverage, particularly from television broadcaster TVM and the newspapers Noticias and Domingos. For example, PDD, the party led by former Renamo politician Raul Domingos, claimed that TVM failed to transmit coverage of Domingos and showed him only in appearances with children. Frelimo and Renamo presidential candidates also traded media accusations of rallies attended mostly by children, apparently as an effort to expose the other's supposed weak support among eligible voters.

Renamo went further and, at one point, banned TVM cameras from filming party rallies in the towns of Mozambique Island and Nacala. Although proportional broadcast time on public radio and television was available to all presidential candidates and parties, the campaign period was otherwise marked by partiality in media coverage. The impact of media bias, especially as it relates to the often illiterate majority of the rural electorate, remains unclear, and much more work remains to be done to fully understand the operation of political and public communication in Mozambique. Reflecting this relative confusion, the Center received many differing viewpoints regarding the media and perceptions of bias in access and coverage.

In one positive sign, the state-owned Radio Mozambique, which has national coverage and broadcasts in local languages, proved to be less partial and more professional than might have been expected. Another positive indicator was that community-based radio broadcasts were considered informative and educational, and some stations developed a code of conduct for radio broadcasts during the election period. This evaluation is especially notable, given that most community-based radio stations are small, oper-

ate under difficult technical and financial conditions, and still manage to provide an independent voice. Perceptions of print media also covered a spectrum of opinion, with weekly newspapers such as Savana and Zambeze and some fax sheet papers like Mediafax seen to be more independent, while others are considered one-sided, such as Vertical and Imparcial. In any case, the reach of print media beyond the main urban areas is quite limited.

Security forces: The opposition parties consistently reported that they felt the police acted in a manner that favored Frelimo and its supporters. They cited that complaints raised by opposition parties did not receive the same attention as those presented by the ruling party, while imprisonment of opposition activists was reported at least in various districts in Gaza and Tete, Niassa. Reports from the Center's observers confirmed some of these claims, particularly examples of police intimidation in Frelimo-dominated areas where opposition parties attempted to campaign.

Collaboration with international representatives: The Center maintained close consultation with other international organizations and embassies supporting the electoral process, namely the European Union, the Commonwealth, United Nations Development Programme, and many international missions. The Center coordinated its long-term deployment plan with the European Union Observation Mission while the UNDP office in Maputo served as an effective focal point for coordination and information-sharing among individual country missions, election authorities, and others.



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ELECTION OBSERVATION

The Carter Center organized a delegation of 60 observers from 23 countries that arrived on Nov. 27 and remained in Mozambique through the elections until Dec. 5, 2004. Former U.S. President Jimmy Carter, Mrs. Rosalynn Carter, former Benin President Nicéphore Soglo, and Dr. John Hardman led the delegation. Over 50 percent of the Carter Center's observers spoke Portuguese, and almost an equal number of men and women participated in the delegation.

Observers spent a full day in briefings on Nov. 28 prior to their deployment to each of the 11 domestic constituencies (see pp. 68-69 for map and table of deployment). During the days before the elections, observers familiarized themselves with their deployment areas and planned their election day route. They also met with relevant local and provincial authorities, including the Provincial Elections Commissions (CPE), political party leaders, police, and other international and domestic election observers. In the meantime, the delegation leadership held meetings with national electoral authorities and stakeholders in Maputo.

Several other international observation groups were present for Mozambique's elections, including the European Union, Commonwealth, Southern African Development Community Parliamentary Forum, African Union, and the Electoral Institute of Southern Africa. The EU had the largest delegation with 130 observers, followed by The Carter Center. Where possible, Center staff in Maputo met with their counterparts in the other organizations to coordinate deployment and share information. In addition, the primary grouping of domestic observers, gathered as the Electoral Observatory, organized a national deployment of observers and conducted a parallel vote tabulation (PVT) with technical assistance from The Carter Center.

OBSERVATION METHODOLOGY

A fundamental principle of the Carter Center's election observation methodology is the understanding that the electoral process is owned and run by the people of Mozambique. The guiding principle can be seen in the Center's efforts to limit an observer's role to observation, rather than mediation, and to offer support for domestic rules, electoral institutions, and observer groups. That said, the Center's international observation activities can still bolster burgeoning Mozambican democracy by allaying concerns and uncertainties about the electoral process, increasing voters' and political parties' confidence in the legitimacy of the election and Mozambican electoral institutions, and reinforcing the work of domestic observer groups and Mozambican stakeholders.

In keeping with the supportive role in which the Center sees its work, the delegation was informed that as election observers, they should avoid involving themselves in, or obstructing the conduct of, the poll and that they should not comment publicly on the quality of the election process until the delegation as a whole has had the opportunity to debrief.

Upon arrival in their deployment areas, the observers met with domestic observer groups and held meetings with local election officials and representatives of political parties to learn about the immediate state of election preparations as well as the prevailing political dynamics in the area in which they would be observing the elections.

The work of short-term election observers complements the activities of the long-term observers. Both types of deployment supported the various elements of the Center's program in Mozambique, including observation of election preparations, support to domestic observers, and the conduct of the parallel vote tabulation as well as establishing communication and dialogue with political parties. Whereas the pre-election



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Jimmy Carter met with Frelimo presidential candidate Armando Guebuza before the elections.

observation focused on preparation for the elections and the political climate, the short-term observation emphasized the procedural and logistical conduct of election day. Short-term observers used checklists to record detailed information on the area surrounding the polling station, the people within the polling station, the operation of the station, the openings and closings, and other comments on the procedures and events affecting the voting process.

On Nov. 28, the short-term delegation was briefed on Mozambican politics, elections, and their observer roles and responsibilities. The briefings reviewed Mozambique's election law and procedures, political parties, and the code of conduct and observation methodology. Several political parties participated in a round-table discussion, including representatives of Frelimo, Renamo, PDD, and PIMO. Representatives from the CNE and STAE also spoke to the delegation to answer any questions about the electoral process. The delegation also heard from a representative of the domestic organizations participating in the Electoral Observatory, who described their program or work and methodology. The Carter Center's long-term

observers demonstrated the polling process and explained the use of the Center's forms to record their observations.

DELEGATION LEADERSHIP

The Carter Center observation mission was multi-layered and inclusive. While observers were deployed across the country, meeting with local and provincial electoral authorities, observation leaders met with key stakeholders in Maputo whose decisions have national implications.

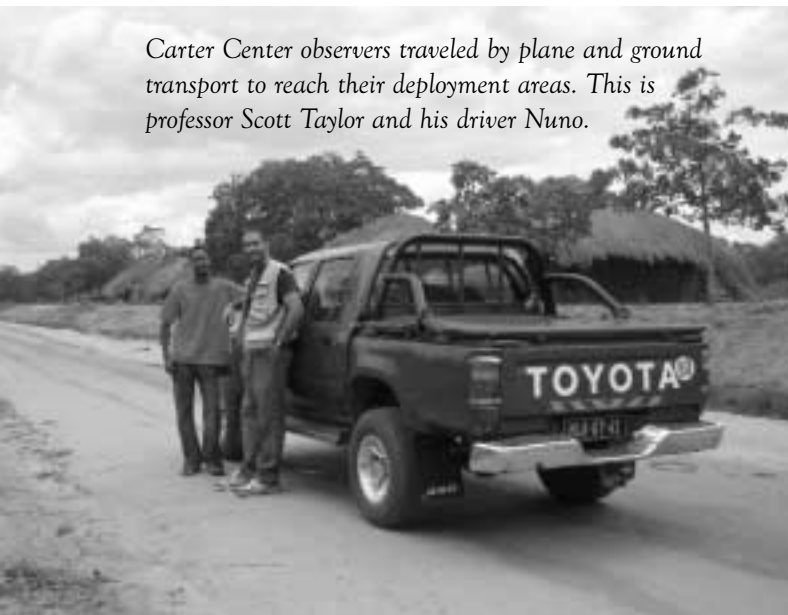
The delegation leadership met with all of the major presidential candidates, including Frelimo secretary-general and presidential candidate Armando Guebuza, Renamo candidate Alfonso Dhlakama, PPD leader Raul Domingos, and PIMO's Ya-Qub Sibindi. MDG candidate Carlos Reis was unavailable. In addition, delegation leadership team members met with CNE President Arão Litsure and other members of the commission, STAE Director-General Antonio Carrasco, Mozambique President Joaquim Chissano, and Constitutional Court President Rui Balthazar. The Center also met with the leaders of a number of international and domestic observer groups including the European Union, Commonwealth, Brazão Mazula of the Center for Studies in Democracy and Development, Otilia Aquino of AMODE, and other members of the Electoral Observatory.

The delegation leadership was pleased to hear strong endorsements of the democratic process from all presidential candidates, and they each pledged to respect the election results. The emerging message was that Mozambique had turned its back on conflict in order to face the challenges of economic and social development. One major recurrent topic in the leadership meetings was the twin issues of procedural integrity and political transparency in the tabulation process. A lack of definitive information regarding the number and distribution of registered voters, the number of polling stations, the quality of the tabulation software and training of data entry technicians, the procedures for handling problem tally sheets and



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Carter Center observers traveled by plane and ground transport to reach their deployment areas. This is professor Scott Taylor and his driver Nuno.



ELMA DOELMAN

invalid ballots, and continued uncertainty regarding the access for observers preoccupied and concerned the delegation leaders. Many of these questions focused on the ultimate credibility of Mozambique's electoral process and whether the country could shed the suspicions and accusations stemming from 1999.

OBSERVER ACCESS

The Carter Center respects Mozambique's right to define regulations concerning election observation. The Center also asserts that, if invited to observe an election, a credible and useful assessment can only be conducted if observers have sufficient access to the relevant aspects of the election process.

In an Oct. 21 press release, the CNE presented further information on the role of domestic and international observers. The Center welcomed the CNE acknowledgment of the importance of nonpartisan observers and their important contribution to credible, legitimate, fair, and transparent elections. However, a regulation barring observers from speaking to voters within 300 meters of a polling station seemed to be an unnecessarily stringent prohibition. The Center understands the importance of noninterference in the election process, especially inside or in the

immediate vicinity of, polling stations, but it is widely accepted that observers may interact discretely with election officials in order to obtain information relevant to the conduct of the poll. However, the CNE failed to clarify this issue as late as a Nov. 24 information session for international observers when one Frelimo official advised observers to greet polling station officials but avoid any election-related content in their conversation. The issue was only somewhat clarified when CNE Chairman Arão Litsure informed the Center that observers could pose questions to polling officials but should not conduct "interviews" since this would distract them from their work.

The CNE confirmed that beyond the polling stations, observers had the right to accompany results to the district and provincial levels, to receive copies of these results, and to conduct their own summation of results. But the opportunity to directly observe subsequent phases in counting and tabulation was heavily restricted. Observers were prohibited from circulating inside the data entry areas at provincial and national levels, making it impossible to verify if polling station tally sheets were entered correctly. However, observers

While most polling stations were located in schools and other public buildings, this thatched hut served in Angoche.

ELMA DOELMAN





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The Center was particularly impressed with the careful attention to detail demonstrated by election officials as they administered polling procedures.

and journalists would be able to observe the data entry area through a glass partition and to follow results on separate computer terminals, enabling, in theory, observers to compare results from the tallies posted outside polling stations with those entered in the database. Observers were also prohibited from attending meetings of the CNE, in which the political representatives of Frelimo and Renamo would review polling station tally sheets and invalid ballots.

In a Nov. 22 letter to the CNE, the members of the Electoral Observatory presented a thorough and well-crafted argument on the principle of observer access to the full electoral process, including tabulation. They based their argument on the electoral law, the CNE regulations for observers, and statements of democratic principles from Southern Africa Development Community, the African Union, and International IDEA (in all of which Mozambique is a member state).

The Carter Center, EU, and Commonwealth observer teams shared these concerns regarding observer access to all phases of the election process. While the CNE initially allowed direct access only to the counting at polling stations, they subsequently agreed to allow for limited observer access to the data operations room at provincial and national levels where results were tabulated. Although the CNE said that observers could follow these results on computer screens in a separate room, this functioned only imperfectly in practice, and given the lack of a disclosed list of polling stations, it was impossible to search the results in a reasonable manner. It was possible to compare posted results from outside polling stations with the corresponding entry in the database but only by scrolling through the entire list of hundreds of tally



BRAD AUSTIN

Most voters walked to the polls or rode bikes as at this Gaza polling station.

sheets. It was impossible therefore to search by polling station number or by district. CNE regulations also provided for observers to receive copies of the minutes from the operation room, although this did not occur.

The software auditors (a Mozambican firm, Solutions Ltd.) who reviewed the results database made it clear that they had not evaluated the final tabulation steps. Given the absence of a final, official list of polling stations and registered voters, it became effectively impossible for observers to know how many polling stations exist, how many would be included in the final count, and how polling stations with problem tally sheets or a high number of invalid ballots would be handled. At the provincial level, STAE technicians only received and began to install the software after the election days, and staff was subsequently trained at the last minute. The provincial data entry was slow and often delayed due to technical difficulties.



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The most important stage of the results process, the CNE sessions to review tally sheets and invalid ballots, was closed to observers. The CNE claimed that these sessions were regular meetings of the electoral body and, as such, closed to the public. The Center raised this issue with the CNE on several occasions, most directly when President Carter informed the CNE that The Carter Center would be unable to fully certify an election without access to tabulation. In the end, international observers were invited, on an ad hoc basis and for very limited time periods, to view the CNE members at work, reviewing invalid ballots in pairs with one representative each from Frelimo and Renamo.

The point the Center and other international observers tried to make was not to see the reasons for the reclassification of each and every invalid ballot sent to the CNE from the provinces nor to review each rejected polling station tally sheet. These are among the assigned roles of the party representatives on the CNE. Rather, the Center maintained that in order for the CNE to implement a fully transparent tabulation of official results, the reasons for such decisions should be recorded openly, and this record should be available for review. The Carter Center reminded the CNE that they did not include nearly 7 percent of polling stations in the final count of 1999 because of problems with tally sheets. In such cases, the CNE rejected entire polling station results on the basis of errors or inconsistencies in the sheets.

SUMMARY FINDINGS

The delegation observed almost 1,000 polling stations over the two days of the election, Dec. 1-2, and returned the following day for a debriefing and press conference announcing the Center's initial assessment of the election.

On the election days, the short-term observers visited



BRAD AUSTIN

These Gaza voters sought shelter from the sun as they waited outside their polling station.

polling stations throughout the country, noting the compliance of the stations with national electoral law. Observers recorded the time polling stations opened and closed (polls opened at 7:00 a.m. and were required to remain open until 6:00 p.m. with all eligible voters in line at that time guaranteed the right to vote), whether stations were free of campaign posters and security personnel, whether all polling station officials were present (polling station staff included a president, vice president, secretary, and two clerks) and whether at least two of them spoke a local language, whether party agents from more than one party were present, and how the voting procedures were followed. In addition, observers noted the presence of other international and domestic observers.

Observers remained at one site for a poll closing where they noted whether all voters who were in line at 6:00 p.m. were able to vote, whether the ballot boxes were sealed correctly, and whether police and party agents were present to guard the boxes overnight as stipulated by electoral law.



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After observing the closing procedure on the evening of Dec. 1, observers called in their first reports to the Center's office in Maputo. Observers across the country reported a peaceful atmosphere with well-organized voters and voting procedures and low voter turnout. The majority of polling stations opened and closed on time. In every single observed polling station, the required number of polling station officials was present. In Maputo city, at least, the 300-meter restriction on political posters was nearly universally ignored as billboards and campaign posters from all parties were usually visible from polling stations. However, no complaints on this issue were voiced to the Center's observers.

On Dec. 2, Carter Center observers again watched the opening of polling stations, noting whether ballot box seals were undamaged, and continued to observe through counting, which in some cases ran into the early hours of the morning. Carter Center observers witnessed only two cases where serious violations should invalidate results at a polling station. At one polling station in Quelimane, polling officials closed at 1:00 p.m. In Angoche, tensions ran higher than in other areas when several Renamo party agents were arrested and stones were thrown, followed by more arrests the following day. These specific events were reportedly indicative of a more generalized intent to intimidate opposition Renamo supporters. Moreover, Renamo party agents there and in some locations in Cabo Delgado reported they had been chased away from staying with the ballot boxes (as is their right) through the night of Dec. 1. In Tete province, one of the Center's teams reported they were made to feel unwelcome by the CPE and instructed not to speak to polling station officials. However, another of the Center's teams in a different part of Tete reported no problems. In the overwhelming majority of observed stations, however, there were no problems, and only a small percentage of stations had minor problems.

Observer records of the second day of the election were similar to the first, reporting a largely peaceful

environment, well-prepared election officials, and continued low voter turnout. The Center's observers reported very positive collaboration and information sharing with other international and domestic observers. However, observers were impressed with the meticulous attention to detail on the part of election officials and party agents throughout the voting procedures and especially during counting at the polling stations. The delegation leadership, split into two teams covering Maputo city and Maputo province, confirmed these assessments.

PRELIMINARY ASSESSMENT

The delegation debriefing on Dec. 3 echoed earlier reports of orderly voting with a few exceptions. Although international observers are usually relatively few in number, a properly implemented election observation methodology that combines long- and short-term deployment, awareness of election laws and procedures, and linguistic and country knowledge as well as careful evaluation of a broad range of information sources allows observers to offer a meaningful assessment of the quality of the complex procedural and political elements of an election. As the table of

The president of the polling station must display and explain the ballot paper to each voter. The candidate's name, party logo, and photograph appeared on the presidential ballot paper.

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Before receiving a ballot paper, each voter must display that their hands are free of indelible ink, applied after they have voted to prevent double voting.

summary evaluations indicates, when compiled, multiple reports of both an objective (e.g. poll opened on time) and a subjective (e.g. poll functioned well) nature can provide a composite assessment based on a relatively small sample. The Center's initial assessment of the elections reflected these reports and congratulated Mozambique for the successful conduct of the country's third multiparty national elections. In a Dec. 4 press conference, delegation leader President Jimmy Carter noted the elections were generally well-organized: Polling stations functioned effectively, were fully staffed, and had necessary election materials. The Center was particularly impressed with the careful attention to detail demonstrated by polling station officials as they administered polling procedures (see p. 80 for full statement).

Nonetheless, the apparent low voter turnout (estimated at the time to be no more than 50 percent and later determined to be 3.3 million voters or 36 percent) was of concern. Low turnout may be explained in part by the inflated numbers on the voter list, which was

not properly updated prior to the election. President Carter urged election authorities, political parties, and others to encourage greater political participation and build public confidence in the efficacy of the political process. In addition, he noted that while there were no systematic problems regarding the voter register apparent on election day, the list with the number of registered voters per polling station should have been made available to political parties and others prior to election day.

While the initial assessment was mainly positive, the Center also noted several problematic incidents, including several incidents that resulted in the arrest of Renamo party agents and supporters in the city of Angoche in Nampula province. The Center's observers also reported opposition party complaints of police bias in favor of Frelimo during the election campaign and on the election days. President Carter noted hopes for a more secure, tolerant, and impartial enforcement of the law.

Carter Center observer Marc de Tollenaere, Carter Center Executive Director John Hardman, and delegation co-leader Nicéphore Soglo confer outside a Maputo polling location.

GRANT LEE NEUBERG





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POSTELECTION OBSERVATION

The short-term delegation returned from the provinces to Maputo after the individual polling stations completed their tabulation. The Center maintained its long-term team deployed in the Maputo headquarters of the CNE and STAE and in all provincial capitals except Chimoio in Manica province to monitor the tabulation of the results at a provincial level. One long-term observer also conducted a round of meetings to assess the political environment in Beira after the CNE's announcement. The postelection observation was also conducted in close consultation with other observers, notably the European Union. In the capital, the Commonwealth expert team also provided useful information.

COUNTING AND TABULATION

The counting process began after the polls closed on Dec. 2 at 7:00 p.m. The polling station president, with other election officials, party agents, and in many cases, national and international observers watching, counted the number of unused ballot papers and then removed the seals from the ballot box, opened the folded ballots, and stated the full name of the candidate for whom the vote was cast. The clerk recorded the results on a tally sheet (edital) and completed the minutes of the polling station (acta). All official parties present signed these documents. After the ballots were counted and the tally sheets filled in at each individual polling station, they were sent to the provincial capital. At the provincial level, there was an intermediate tabulation where the contested and invalid ballots were identified and sent for reclassification to Maputo. The election law states that provincial results must be announced seven days after the election (Dec. 9).

Not one provincial election commission (CPE) completed this process by the legal deadline. STAE initially blamed the delay on the late arrival of materials from the districts to the provinces because of rain and other transport difficulties, but it became apparent

SIGRID SPINNOX



Carter Center field representative Nicolas Bravo (L) and senior program associate David Pottie (R) thank President Carter prior to his departure from Mozambique.

that the lack of technical preparation was one of the main reasons. By Dec. 6, Sofala, Nampula, and Gaza had not even started their tabulation, while collection of results was interrupted by rain in several provinces, including Niassa, Cabo Delgado, Tete, and Manica. In some other provinces, however, including Gaza, Sofala, Tete, and Cabo Delgado, Renamo members on the electoral bodies kept the warehouse containing electoral materials closed and delayed the work of provincial election commissions.

Technical difficulties persisted throughout the entire tabulation process. The database at the provincial level contained a higher number of tally sheets compared to the one officially announced and posted by the CNE on Nov. 4. When asked to clarify these discrepancies, the CNE contention that improper installation of the audited software and insufficient training of the technicians were responsible tended to reinforce mistrust of the provincial electoral authorities rather than boost confidence in their efforts.

Limited observer access to the tabulation process made it difficult to generate an independent evaluation. The Center's observers were able to follow the data entry of the computerized results at STAE head-



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quarters, but the software did not enable searches by polling location. While searching to cross-check results collected at the polling stations, the Center's observers found tally sheets with unrealistically high voter turnout, including multiple instances of polling stations in Niassa and Tete recording a 100 percent turnout and more than 90 percent support for Frelimo. Given the low turnout nationwide (ranging from 30 to 40 percent), ballot boxes appeared to be stuffed at polling stations in the Tete districts of Changara, Chifunde, and Tsangano as well as in the Niassa districts of Metarica and Marupa and in the Gaza district of Chicualacuala. Shortly after the elections, President Carter personally requested of CNE President Arão Litsure that observers be present for the CNE review of individual ballots sent from polling stations to Maputo. Although the CNE initially granted this request, observer access was subsequently restricted to two hours a day.

As the tabulation process dragged out, the main political parties began to exchange public accusation. On Dec. 9, Afonso Dhlakama alleged the elections were fraudulent and called for new elections (to be paid for by the international community). Frelimo accused Renamo of obstruction during the tabulation process, blaming the party for delays in Gaza, Manica, Cabo Delgado, Niassa, and Maputo. The head of the Frelimo parliamentary group, Manuel Tome, referred to Renamo as a "bad loser" making "ridiculous declarations." Dhlakama would reiterate many of his previously stated complaints in a Dec. 22 press release. In the statement, he claimed that a majority of opposition supporters in the central and northern regions of Mozambique were excluded from voter registration, Frelimo forced public employees to support Guebuza's candidacy, Renamo party agents were chased away from polling stations by Frelimo members, and presidents of polling stations received instructions from Frelimo to stuff ballot boxes in favor of Armando Guebuza and to invalidate ballots cast for Renamo.

Also on Dec. 9, domestic observers confirmed reports of some malpractice but praised the overall

The CNE announced the final results on Dec. 21, four days after the legally required date.

conduct of the elections as a significant advance in political rights of Mozambicans. The Electoral Observatory declared in its preliminary statement "clear and unequivocal satisfaction at the peaceful and orderly way in which Mozambican voters expressed their right to vote." In addition, the observatory noted it was able to gather results data within the parameters of the random sample for its parallel vote tabulation.

On Dec. 17, the day on which the official results were due to be announced, STAE Director-General Antonio Carrasco invited observers and journalists to a meeting where a team of technicians offered explanations of the discrepancies. The STAE technicians said the system produced "fictitious" tally sheets for those polling stations assigned more than one voter register book (each book has a maximum of 500 names, and each polling station may have up to 1,000 voters). STAE acknowledged the problem on Dec. 8 and instructed the provinces to ignore the polling station number generated in the database and use the originally (manually) assigned number instead. In the context of an otherwise secretive computer section, STAE is to be congratulated for issuing a plausible explanation of the existence of such a serious technical mistake that could have constituted fertile ground for allegations of fraud.

Mozambique's electoral law calls upon the CNE to announce the national tabulation of results within 15 days after the election (in this case, Dec. 17). However, the CNE announced the final results on Dec. 21, four days after the legal date. The Center retained serious unanswered questions about the complete accuracy of the results and the lack of transparency during the CNE's final tabulation. The official results did not include the required district-by-district map of results.



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The results also excluded some 699 presidential tally sheets (5.4 percent of total votes) and 731 legislative assembly tallies (5.7 percent of total votes) without explanation for their exclusion. There are many reasons why a tally sheet cannot be processed, such as figures that do not add up and cannot be corrected by the CNE, were unreadable because they were covered in spilled ink, or were lost or stolen and never reached district or provincial capitals.

Unfortunately, despite the CNE's assurance to President Carter that observers would receive the CNE record of reasons for the rejection of tally sheets, no record was made available, and the Center could not examine even a sample of rejected tally sheets. No details of the provincial distribution of excluded tally sheets were released either. This rate of exclusion was similar to that of the 1999 elections, but the difference in support between the two major presidential candidates was much greater in 2004, and, therefore, the overall result was unaffected.

On Dec. 20, the Center released a statement expressing many of these concerns, noting the irregularities observed during the provincial tabulation, the limited access for observers to all phases of the counting, the delays in the announcement of the results, polling station tally sheets with serious irregularities, software inconsistencies, and political mistrust among STAE members.

PETITIONS

The electoral law requires election petitions be filed with the CNE within two days of the announcement of the results. This meant the deadline for petitions was Dec. 23. In the event a complainant wanted to appeal the CNE decision, these had to be filed with the Constitutional Council within five days of the CNE's decision. The president of Mozambique appoints the chair of the Constitutional Council, and the political parties represented in Parliament nominate the other members. Upon appointment, members of the council must renounce their party affiliation and may serve up to two five-year terms. The council serves as an appeal

body, but its validation of results is not dependent upon the resolution or absence of appeals.

Several opposition parties filed complaints and appeals, including the Party for Peace, Democracy and Development (PDD), Independent Party of Mozambique (PIMO), the Enlarged Opposition Front (FAO), the Movement for Change and Good Governance (MBG), and the Renamo-EU coalition. PDD wrongly presented its petition first to the Constitutional Council and was therefore rejected. PIMO, MGB, and FAO called for the annulment of the elections, but their petitions were also rejected by the CNE.

On Dec. 27, Renamo presented a petition to the CNE listing the party's complaints and calling for new elections within six months. The CNE sent the petition directly to the Constitutional Council without any deliberation. The council rejected this course and sent the petition back to CNE, demanding formal deliberation. On Jan. 3, 2005, the CNE rejected Renamo's claims, arguing that their complaint was submitted after the legal deadline.

Several of the CNE rulings were appealed and sent to the Constitutional Council for final evaluation. The appeals of the smaller opposition parties were rejected on Jan. 12. Renamo presented its appeal to the Constitutional Council on Jan. 10, but the submitted document differed in several aspects from the original petition sent to the CNE. In this second version, Renamo called for the annulment only of part of the election. On Jan. 15, the council rejected the Renamo appeal, arguing that it was inconsistent with the original petition as submitted to CNE, and, therefore, it was a new petition and could not be ruled upon. The council also noted that the petition was submitted after the legal deadline and that the alleged irregularities should have been reported to the district-level election authorities at the time they occurred. The consequence of these proceedings was that the Constitutional Council ruled out the Renamo appeal of the CNE decision on procedural grounds rather than through an evaluation of their concerns.



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**TABLE 3: OFFICIAL 2004 ELECTION RESULTS
VALIDATED BY THE CONSTITUTIONAL COUNCIL**

	VOTES	%
<i>Presidential election</i>		
<i>Candidates</i>		
Raul Manuel Domingos	85,815	2.73
Armando Emilio Guebuza	2,004,226	63.74
Jacob Neves Salomao Sibindy	28,656	0.91
Afonso Macacho Marceta Dhlakama	998,059	31.74
Carlos Alexandre dos Reis	27,412	0.87
 Total number of valid votes	 3,144,168	 99.44
Total number of null votes	88,315	2.65
Total number of blank votes	96,684	2.91
 <i>Legislative election</i>		
<i>Parties or coalitions</i>		
Renamo Electoral Union	905,289	29.73
Frelimo	1,889,054	62.03
PDD	60,758	2.00
PARENA	18,220	0.60
SOL	13,915	0.46
PEC-MT	12,285	0.40
PIMO	17,960	0.59
PASOMO	15,740	0.52
PVM	9,950	0.33
PAREDE	9,026	0.30
PT	14,242	0.47
PPD	448	0.01
FAO	7,591	0.25
MBG	11,059	0.36
CDU	1,252	0.04
PAZS	26,686	0.88
UD	10,310	0.34
PALMO	9,263	0.30
USAMO	8,661	0.29
PADELIMO	3,720	0.12
 Total number of valid votes	 3,045,429	 91.68
Total number of null votes	109,957	3.31
Total number of blank votes	166,540	5.01
Total number of votes	3,321,926	100.00



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CONSTITUTIONAL COUNCIL
REVIEWS RESULTS

In Deliberation 19 of Jan. 19, 2005, the Constitutional Council validated the official results as presented by the CNE. The Center was concerned that the council acknowledged important problems but did not hold the CNE accountable for the irregularities and delays during the tabulation of votes. First, the council noted that the CNE failed to complete a final tabulation map of district-by-district results for some provinces; second, the CNE failed to provide a record of the reasons for the excluded polling station tally sheets; and third, the council recognized the potential impact of excluded polling station tally sheets on the final distribution of seats in the National Assembly, but no action was prescribed. The final election results are presented in Table 3.

However, the Constitutional Council voiced important criticisms of the conduct of the elections, including recommendations to generate a single national voter register, to establish the proper institutional and professional development of the CNE, to build a more consistent knowledge of the electoral laws among members of political parties, and to improve the conditions for electoral observation.

On Jan. 27, the Center issued a public statement that congratulated Armando Guebuza for his election as president of Mozambique. Although the Center recognized this overall result, it also concluded that the CNE did not administer a fair and transparent election in all parts of Mozambique. The Center welcomed the Constitutional Council's deliberation but, in addition to the issues noted above, remained concerned about a missed opportunity for the council to comment on other important issues, including the reported abuse of public resources for partisan purposes and accepting delayed reporting of election results from the CNE without equivalent flexibility being accorded to political parties during the very tight time lines of the petition process. A particular problem that went unmentioned was the reluctance of district-level

electoral commissions to accept party complaints after the elections, especially since the council cited Renamo's failure to submit electoral complaints at the district level as one of the three main reasons for rejecting its petition.

Ultimately, the Center's confidence in the overall election results was supported by the independent check provided through the parallel vote tabulation conducted by the Electoral Observatory. Additional results as published in the media also contributed to this confidence. The Center agrees with the assessment of the EU that while the irregularities during the elections and tabulation of results are cause for concern, they did not affect the overall outcome of the election. Noting that the distribution of National Assembly seats might have been slightly affected, the Center concludes that the overall legislative results and the election of Armando Guebuza to the office of the president clearly reflected the will of the Mozambican people.

TABLE 4: DISTRIBUTION OF
PARLIAMENTARY SEATS

<i>Constituency</i>	<i>Seats</i>	<i>Frelimo</i>	<i>Renamo</i>
Niassa	12	09	03
Cabo Delgado	22	18	04
Nampula	50	27	23
Zambezia	48	19	29
Tete	18	14	04
Manica	14	07	07
Sofala	22	06	16
Inhambane	16	15	01
Gaza	17	17	0
Maputo Province	13	12	01
Maputo City	16	14	02
Africa	01	01	-
Overseas	01	01	-
Total seats	250	160	90



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PARTNERSHIP WITH CIVIL SOCIETY

The Carter Center initiated a number of activities to broaden the role of civil society organizations in Mozambique democratic processes of 2003 and 2004. These activities included capacity building, technical assistance and training with domestic observers, fostering civic dialogue with Mozambique's political parties, and sharing experiences from previous Carter Center election observation missions. The Center's staff in Mozambique met with the entire range of electoral stakeholders in a variety of formal and informal interactions in order to achieve the overall goal of strengthening the role of civil society in the democratic and electoral process.

EXAMPLES OF SPECIFIC ACTIVITIES:

■ In March 2004, the Center, in collaboration with the Electoral Observatory and AMODE, conducted a seminar on election observation, reviewing the local government elections and extracting lessons learned in anticipation of the upcoming December elections. The seminar participants reflected on the purpose, performance, achievements, and shortcomings of election observation in Mozambique. Participants included electoral authorities, parties, media, nongovernmental organizations, and relevant international partners. The Center also presented the findings from its observation of the 2003 municipal elections in a number of public and private meetings in order to discuss possible improvements to the election process.

■ In May 2004, the Center observed a national convention of Mozambique's political parties that focused on the newly adopted political party code of conduct and also observed a municipal by-election in Xai-xai, the capital of Gaza province, on May 19.

■ In July 2004, the Center conducted training on long-term observation for members of AMODE. Coming from seven different provinces, 16 observers

attended the training. Participants shared their assessments of the voter registration process, noting errors in the computerized registration books, insufficient coverage by registration brigades in some areas, the weakness of civic education in rural areas, and problems in receiving accreditation. The seminar also reviewed the role of observers and recent reforms in the electoral law.

■ The Center collaborated with domestic observers once again in August 2004 to organize a public seminar assessing the voter registration process. These observations were shared with a range of organizations from civil society, the media, representatives from political parties, and the electoral authorities.

■ Carter Center staff from Atlanta also visited Mozambique over the course of 2003-2004. During these trips, the Center's representatives met with various election stakeholders and reviewed program operations.

The most intensive and sustained area of collaboration between The Carter Center and civil society organizations was the provision of technical support for the conduct of a national parallel vote tabulation of the December 2004 presidential and National Assembly elections. This exercise was a success and represented a long-term commitment of resources and hard work on the part on the Center's staff in Mozambique, with special acknowledgment of the crucial role played by the Center's field representative, Marc de Tollenaere, in support of every aspect of the PVT.

The Carter Center first raised the idea of parallel vote tabulation prior to the 1999 elections. This observation technique was new to Mozambique and was ultimately rejected by the CNE on the basis that such an initiative was not provided for in the electoral law. However, the controversial tabulation of the 1999 election results led many to believe that a PVT would have been helpful. The Carter Center and others noted with



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SIGRID SPINNOX

Domestic observers watched the counting process and reported the results to Maputo for the parallel vote tabulation.

concern suspicious modifications to vote tallies and voter turnout rates at the provincial level and a high rate of errors in tally sheets processed by the CNE in Maputo. Renamo members of the CNE refused to validate the official results, and the party submitted a formal petition to the Supreme Court alleging fraud and serious irregularities. Although the Supreme Court upheld the exclusion of a significant number of tally sheets, it rejected Renamo's complaint in its entirety and validated the official results. The following description of the Center's work with domestic observers in the conduct of parallel vote tabulation reveals the importance of detailed logistical preparations to ensure the integrity of this observation tool.

THE 2003 PVT

In 2003, the international donor community worked with civil society organizations to identify willing participants to take on the technical and political challenge of a PVT. Efforts were also made to sensitize the election authorities, party leaders, government officials, the diplomatic community, and the media

about the value of a PVT, and the new CNE president, Araújo Litsure, supported the conduct of a PVT as a means to help build confidence in Mozambique elections. The institutional home for this initiative was a coalition comprised of four organizations (AMODE, CEDE, the Christian Council, and the Islamic Council). The idea of a PVT was still quite controversial, especially among political leaders, and some civil society organizations with important electoral experience declined to participate.

Having decided that a PVT in all 33 municipalities holding elections on Nov. 19 would not be feasible or necessary, 10

municipalities were selected on the basis of criteria such as the prevailing political situation, the expected closeness of results, and geographical location. Three cities—Maputo, Beira, and Nampula—were chosen for a PVT by random sample of polling station results, and comprehensive PVT was conducted in seven other municipalities.

At the central level, the Electoral Observatory designated a senior PVT adviser, a PVT coordinator, and a small technical staff to support the database and computer system necessary for the collection and processing of the results. At the municipal level, a network of 10 coordinators was selected from the participating organizations. In turn, 441 local observers were recruited for observation of the polling and collection of the results. The Carter Center provided logistical advice and technical assistance throughout the design process and trained the municipal coordinators, who in turn trained the individual poll watchers.

Forms for a qualitative assessment of the balloting and counting process were prepared as well as results tally sheets for the observers. Additional verification



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The supervisors and coordinators were responsible for the identification and training of nearly 1,600 observers, preparation of a deployment plan, and the practical implementation of the PVT.

forms were developed to enable the municipal coordinators to verify the data provided by the observers as well as generic correction forms as necessary. The communication system was designed to allow the PVT observers to call in the results directly to the central PVT office (except for Maputo) and to deliver their tally sheets to the municipal coordinators who forwarded them to Maputo for further analysis. Carter Center election observers (14 total) were also deployed mostly to municipalities included in the PVT to provide an additional check on the validity of the information provided by the domestic observers.

Generally, data arrived at the central PVT office more slowly than planned, mainly due to a unilateral decision by the municipal coordinators to collect the results from their observers instead of allowing them to call Maputo directly. The data entry process was also slowed by unanticipated problems with the database and an insufficient number of data operators to maintain full staffing. Despite these difficulties, within 24 hours of the polls closing, complete preliminary PVT results for eight municipalities were available, followed soon after by results from Beira. In Nampula, the poll watchers failed to call in the results directly from the polling stations as previously agreed, and the sample points were not always respected. Nevertheless, these reports were verified and corrected against the results from The Carter Center and other observers.

In nine of the 10 elections where a PVT was held, the results were very close to the official results announced by the municipal election authorities. For Maputo and Nampula, the results of the PVT were within a 2 percent margin of error. For Beira, however,

the PVT results fell outside the desired statistical margin. In the case of Marromeu, the PVT results indicated a victory of the Renamo candidate while the provisional official results gave the victory to the Frelimo candidate. During the verification of official results, the CNE reversed the result in favor of the Renamo candidate (as indicated by the PVT).

Based on this experience, domestic observers and the Center learned several important lessons. The planned PVT for the 2004 elections would benefit from the database construction carried out in 2003, but more time and resources would need to be invested to verify some important inputs such as lists of polling stations and candidate lists. Second, the observer training had to be revised with greater emphasis on the proper implementation of the communication system in order to speed up the processing and analysis of the PVT data.

THE 2004 PVT

The 2004 elections presented several significantly more challenging problems. First, the logistics of transport, data collection, and communication were more complex because many observers would have to operate from rural areas, which was not the case in 2003. Second, the design of a PVT for the legislative elections required separate samples for each province because representatives in the National Assembly are elected on a provincial basis. Third, given the close presidential race in 1999, the political stakes were potentially high for 2004, and it was expected that the political parties would watch the PVT implementation very closely.

The preparatory activities for the PVT consisted of establishing a reliable and feasible sample methodology; the identification of the coordinators, supervisors, and observers; the formulation of an implementation plan; the design of the observation and tabulation forms; and a deployment plan. Various sampling methodologies were tested using a database with the 1999 election results. Normally, a computer draws a random sample, but in this case, repeated efforts did



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not render a consistently low margin of error.

One problem was that the election authority was unlikely to publish a list with the ID number of each polling station. Such a list would have enabled the sample to be random to the level of individual polling stations, but the CNE only published a list of polling locations with the total number of polling stations in each location. In addition to considering a fair geographical distribution, the sample also needed to balance 1999, 2003, and 2004 polling stations and their accompanying segments of the voter register. A final challenge was posed by the sharp increase in the total number of polling stations from 8,000 in 1999 to 13,000 in 2004. This increase was not unevenly distributed over the various provinces nor was it justified by an increased number of registered voters.

In the end, tests were conducted to produce a sample based on the likely list of polling locations rather than individual polling stations, and it was found that,

although not ideal, this sample would yield reliable results. An eventual sample of 792 polling locations was adopted. This sample was higher than statistically required, but it took into account the required “psychological number,” or threshold, to give legitimacy and credibility to the sample results. Given the absence of a list of polling stations, in order to reduce the arbitrary choice of a polling station within a location, the observers were given the instruction to select the fourth polling station from wherever they entered the grounds of the polling location.

A coordinator, a technical assistant, a database manager, and 11 data entry operators staffed the central office. Based on the sample and taking into account an equitable contribution of the participating organizations, 11 provincial supervisors supported by 50 provincial-level coordinators were selected, and the provinces were subdivided in 38 zones (based on the distribution of the sample points), each to be managed by one or two coordinators. The supervisors and coordinators were responsible for the identification and training of nearly 1,600 observers, preparation of a deployment plan, and the practical implementation of the PVT.

The recruitment and training of the coordinators and observers were completed without major problems, and detailed information was compiled on each observer (typically teachers, journalists, public servants, students, NGO staff, and church members) to minimize recruitment of “ghost” observers (e.g. observers who exist in name only to collect pay but do not actually do the work). The training sessions were designed by Maputo staff but implemented locally with random monitoring. The Electoral Institute of Southern Africa assisted in the update of the observation and tabulation forms and in the development of training materials for the supervisors and coordinators.

Initially, the Electoral Observatory resisted the idea of observers calling Maputo directly before delivering the results to their provincial coordinator, preferring that observers deliver the results to their coordinator, who would then call Maputo. The Carter Center was concerned that this latter approach would

**FIGURE 4: GEOGRAPHIC
DISTRIBUTION OF PVT
SAMPLE POINTS**

Maputo city (47)
Maputo province (47)
Gaza (62)
Inhambane (50)
Sofala (64)
Manica (44)
Tete (56)
Zambézia (148)
Nampula (142)
Niassa (45)
Cabo Delgado (87)

Total (792)



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jeopardize the speed of results transmission as happened in 2003. It might also result in more data being collected than necessary, demanding more sorting in the Maputo central office. The eventual communication system was based on the availability of telephone and cellular phone service in the deployment areas of the observers. Observers would call Maputo directly from their locations where network coverage was available. Otherwise, where such networks were not available, the observers were to travel to the nearest place with coverage and make their call to Maputo.

The Electoral Observatory did not develop a public information strategy to handle the PVT results. Several weeks before the election, the Electoral Observatory convened a press conference to present its plans, but there was no further public communication until the Electoral Observatory leader, Brazão Mazula, issued a preliminary statement on Dec. 6. A detailed PVT report was delivered to the Mozambican electoral bodies, the main political parties, and presidential candidates on Dec. 9, but due to scheduling difficulties, Renamo leader Afonso Dhlakama did not meet with the Electoral Observatory until Dec. 17.

The observation was carried out without major difficulties. With only a few exceptions, all observers were present at their indicated polling location before opening of the polling stations and remained throughout the vote counts. Approximately 100 of the 1,600 trained observers could not be deployed because of problems with their accreditation (mainly in Nampula, Niassa, and Zambezia). Despite the logistical difficulties that some observers encountered, data were collected for 785 polling stations for the presidential elections and 769 for the legislative elections, totaling, respectively, 99 percent and 97 percent of the sample. In welcome contrast to 2003, the communication plan was very well-implemented and, during the night after the closing of the polls, the central office received results from

204 sample points. These results indicated a clear trend (fluctuation of the result graph for the presidential elections stabilized after about 150 data entries) but was urban biased, as the first results came exclusively from areas with mobile phone coverage. A more balanced and reliable PVT result was reached within 72 hours after the close of polls.

The provincial supervisors were responsible for collecting all report forms and bringing them personally to the PVT central office in Maputo. In a sharp improvement from 2003, 70 percent of the forms reached the PVT office within four days of the elections.

PVT RESULTS

The PVT results proved to be consistent with the official results, with a margin of error of less than 0.5 percent. For the presidential elections, the PVT projected 63.3 percent for Armando Guebuza and 31.8 percent for Afonso Dhlakama, compared to the official results of 63.6 percent for Guebuza and 31.7 percent for Dhlakama. For the legislative elections, the PVT reported 61.5 percent for Frelimo and 30 percent for Renamo, while the official results gave Frelimo 62 percent and Renamo 29.7 percent.

TABLE 5: COMPARISON OF OFFICIAL CNE RESULTS AND PVT

		RESULTS	
		CNE	PVT
PRESIDENT	Armando Guebuza	63.6%	63.3%
	Afonso Dhlakama	31.7%	31.8%
NATIONAL ASSEMBLY	Frelimo	62.0%	61.5%
	Renamo	29.7%	30.0%



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The slightly wider margin of error for the legislative elections, though acceptable, occurred because the sample was primarily based on a national scale for the presidential elections and not on a provincial scale as would have been formally required. The quality and reliability of the results were based on two factors: 1) a thoroughly prepared and tested sample and 2) correct implementation of the observation and rapid transmission of results by the observers.

Data analysis in Maputo also revealed some serious anomalies in the electoral process, such as proof of ballot stuffing in the district of Changara in Tete province. At a later stage, when the qualitative observation forms were reviewed, additional findings included:

- Evidence of a very strong, proximate, and, often, armed police presence in practically all polling stations, in contravention of the legal prescription that police should not be closer than 300 meters of the polling station. The domestic observers viewed this as a form of potential intimidation because the police force is so strongly identified with Frelimo.

- All over the country, polling staff rejected voters with a valid voter card if their name was not on the voter register, contrary to official instructions that such individuals should be allowed to vote.

- The collected data confirmed serious inconsistencies in the official voter register and the implications for the calculation of a correct rate of voter participation.

Several institutional lessons were learned from the Carter Center's partnership with the Electoral Observatory, including:

- Collaboration among participant organizations was challenging. Collaboration can be experienced as a threat to individual resource mobilization, compounded by individual sensitivities and a working political environment where a lack of trust is common.

- At times, management decisions produced tensions between the "political" leadership of the PVT and the technical staff.

- Key provincial staff often accepted job offers from other organizations that jeopardized their availability and, at times, even their required neutrality as PVT observers.

- Participant organizations recruited observers on the basis of organizational loyalty rather than objectively determined requirements (e.g. education level, being regarded as a respected and neutral person, and living in the area of deployment). This did not influence the PVT implementation negatively, but it did have cost implications as more observers required transport to get to their respective polling stations.

- Difficulties with the transfer of money to observers and problems with accreditation resulted in last-minute reshuffling of the deployment plan.

- The lack of experience with such complex and sensitive operations, especially at provincial level, put a heavy burden on the small central team to keep activities focused and implemented within strict time lines.

The Electoral Observatory is commended for this extraordinary achievement. The lessons from 2003 were taken into account, absorbed, and corrected by the national staff, in particular by a more thorough training process and the maintenance of key staff in the central team. There is now national capacity to conduct a PVT, but it depends very much on the involvement of less than a handful of technical staff who implemented two consecutive PVTs. This achievement now faces the serious challenge of sustainability. One possible approach would be to maintain the Electoral Observatory as the platform where member organizations can discuss electoral and democracy issues, receive further training, and organize future activities.

CARTER CENTER SUPPORT

The Carter Center was pleased to play a supporting role to the leadership of national Mozambican organizations in this exercise, and many of the moving parts of the Center's activities in Mozambique—field office, consultants, long- and short-term observers, and delegation leadership—interacted with the Electoral Observatory.



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The Center believes the successful conduct of the PVT provided a technically reliable and independent confirmation of the election results.

The Center's field representatives, Marc de Tollenaere and Nicolás Bravo, worked closely with the Electoral Observatory on a range of election issues, including the PVT, deployment plans, and reporting. Election specialists Eric Bjornlund and Glenn Cowan provided essential technical expertise to the project at critical moments.

The Center's long-term observers also worked closely with domestic observers, exchanging information and contacts. During deployment of the Center's short-term delegation, each Center team met with domestic observers prior to and, when possible, after the elections. The Center's observers assisted in the delivery of PVT observation forms to many PVT coordinators in central locations throughout Mozambique. In coordination with other international observers, mostly but not only from the European Union, the Center collected results from 15 percent of the PVT sample points to serve as a cross-check.

The delegation leadership also met with Brazão Mazula and the other leaders of participant organizations in the Electoral Observatory. The speed of the PVT implementation enabled Center staff to brief President Carter that Frelimo was headed to a substantial victory and the observed irregularities were insufficient to overturn the overall results. Given the tight electoral race

between Frelimo and Renamo in 1999, lingering uncertainties about the 1999 results process, and the subsequent political deadlock in party relations, the PVT provided an impartial verification of the official tabulation. The availability of the PVT results soon after the close of polls allowed The Carter Center and other observers to make more informed judgments about the overall picture.

The dedication of the Electoral Observatory members, the Center's technical assistance, and the strong links forged between the two organizations generated a more unified political assessment of the 2004 elections. The Center hopes that future activities will consolidate the role of domestic observers and the skills acquired during the implementation of the first national PVT in Mozambique. Mozambican civil society actors can now share their experience with one another and their counterparts elsewhere in southern Africa and further abroad. The Center hopes it helped to create awareness of the importance of a PVT as an observation tool and contributed useful technical capacity. Given the past conflict and current competitive political context in Mozambique and the significant problems of CNE and STAE election management (e.g. politicized decision-making, lack of a credible voter register, and a delayed and confused tabulation process), the Center believes the successful conduct of the PVT provided a technically reliable and independent confirmation of the election results. The PVT, therefore, served as a convincing conflict prevention tool and a crucial instrument for the promotion of how citizens can ensure the transparent conduct of all aspects of the electoral process.



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CONCLUSIONS AND RECOMMENDATIONS

On Dec. 1-2, 2004, Armando Guebuza was elected president of Mozambique, ushering in another five years of Frelimo-led government. The Carter Center commends the individuals and institutions responsible for the 2004 elections, including members of the CNE, STAE, the government of Mozambique, and political parties, for ensuring a peaceful election. Despite this achievement, the Center concludes that serious irregularities undermined the achievement of a transparent and fair election in all parts of Mozambique. The Center believes that the definitive margin between the two main presidential candidates and the confirmation of official results by the independent parallel vote tabulation guarantee President Guebuza's victory. But given the significant foreign investment in Mozambique's peace process and democratic development, and especially in light of the ongoing concerns regarding the state of the voter register and the conduct of tabulation, it is imperative that Mozambique implement measures to ensure procedurally correct and politically convincing elections.

To these ends, the Center makes the following summary observations and recommendations in a spirit of cooperation with the people and official electoral bodies of Mozambique to sustain their democracy.

1. Improve voter confidence. The CNE should thoroughly investigate irregularities, implement appropriate responses, and communicate the results to the public. Incidents of ballot box stuffing, lost election materials, exclusion of votes in tabulation, tally sheets with alterations or errors, and other problems undermine public confidence in the election authority and the polling process even when they do not affect the overall results. The CNE's opportunity to dispel remaining doubts about the accuracy of official results is diminished when observers are unable to view and understand the reasons for rejected polling station tally sheets.

2. Improve credibility and accuracy of voter register. For the many reasons outlined in this report, the voter register requires further review and consolidation in order to produce the clean and credible list Mozambicans deserve. In addition, election authorities should be able to manage this process in accordance with the law on an annual basis and produce a list with the number of registered voters per polling station. This list should be made available to political parties and others prior to election day. In February 2005, STAE recommended not to update the voter register in 2005 but to take the time to clean the existing register. This is a welcome suggestion that should be implemented.

3. Reform CNE structure. The Carter Center has previously recommended review of the size and partisan structure of the CNE. The appointment of a civil society representative as president of the CNE is a welcome move; yet it is insufficient to ensure that electoral supervision is conducted in a manner that is nonpartisan, transparent, and of service to all Mozambicans regardless of party affiliation. A range of options to minimize the infusion of party politics into the CNE could be considered. The success of the Constitutional Council in appointing members who renounce their party affiliation during their appointment might be one approach to consider. At 19 members, the CNE is expensive and too large for effective decision-making.

4. Strengthen the multiparty system. In contrast to the close election between Frelimo and Renamo-UE in 1999, the 2003 and 2004 elections produced a significant consolidation of Frelimo's strength and popular support. There are many factors that explain this success and the difficulties faced by smaller and newer political parties. Yet a strong multiparty system is a central component to sustainable democracy. Democratic leadership that embraces multiparty



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GRANT LEE NEUBERG



Future reforms must ensure credible elections.

cooperation and broad participation by civil society could provide a foundation for improved governance. On some level, the current political culture of Mozambique discourages opportunities for effective collaboration. When the police display favoritism during the election campaign, when Renamo delegates are unable to remain with the ballot boxes overnight, or when Renamo representatives deliberately delay tabulation or other crucial election processes, not only the electoral process but also the party system is undermined. Greater professionalism and respect for differences of ideology or policy can mitigate the tense electoral environment yet allow for political debate. The code of conduct for political parties must be supported not only at signing in May but on each day as the election approaches.

5. Build transparent campaign finance. Political parties should comply with the currently established law for disclosure and transparency in political finance. Moreover, the potential for abuse of public resources and inadequate regulation of private sources of funds should be re-examined.

6. Strengthen positive strides in electoral dispute resolution. The Center welcomed the revision of the electoral law to provide copies of polling station tally sheets to party representatives. In addition to the posting of tally sheets outside polling stations, this provision allows parties to check official results. However, the fact that official results are announced only by district and not by polling station undermines the effectiveness of the provision to resolve disputes. The establishment of the Constitutional Council and its mandate to review the final official results also provided an appropriate legal recourse for electoral complaints. The Center is concerned that although the council correctly rejected certain election petitions, it did so while acknowledging that the cited irregularities could impact the distribution of seats in the National Assembly. Lingering questions about the credibility of the results may negatively affect the operation of Mozambique's sovereign lawmaking body. The Center regrets that Renamo leader Afonso Dhlakama and his party's 90 members of Parliament boycotted Armando Guebuza's inauguration as president on Jan. 28 yet they still chose to take their seats in Parliament.

7. Increase voter participation. Mozambique must investigate the reasons for low voter turnout. STAE should update the voter register in a manner that indicates the true number of eligible voters and allow for the establishment of enough polling stations to enable more voters to reach polling stations, especially in rural areas. Election authorities, political parties, and others need to examine how they can encourage greater political participation among citizens and build public confidence in the effectiveness of the electoral process.



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8. Support participation of women and youth.

The Center was encouraged by the significant presence of women and youth as election officials and party agents and hopes this participation continues to receive the support it deserves. Frelimo also is congratulated for its commitment to ensuring that women and youth are well-represented on the party lists for the National Assembly.

9. Hold one-day elections. The majority of polling station officials discharged their duties effectively and without prejudice. A two-day election is especially onerous on all participants, and Mozambique should explore the means to hold single-day polls.

10. Increase transparency and effectiveness of tabulation. The tabulation of votes at provincial and national levels was seriously hindered by Mozambique's weak communications and transport infrastructure. Aside from the government's general responsibility to improve these public resources, election authorities can mitigate their effects through more careful planning and distribution of resources. Additional training emphasis on the counting process for election officials and party agents also might ensure more consistent determination of valid and invalid ballots at the polling-station level, reducing the workload at higher levels. In addition to designing effective tabulation processes that respect the integrity of voter intent, election authorities should reassess how they value the role of election observers. Arrangements that respect the integrity of the results process while providing for maximum transparency of tabulation and determination of valid polling station results can be designed. In the event that Mozambique continues along the path of a computerized voter register and results process, these technology applications will only be effective if they are accompanied by careful advance planning, good public communication about their purpose, and well-trained operators implementing a process that enjoys the confidence of political parties, candidates, and voters.

11. Ensure timely announcement of results.

None of the provincial election commissions nor the CNE met their respective legal deadlines during the

tabulation process. As the Constitutional Council has instructed, the CNE needs to develop a feasible schedule so provincial and national tabulation can finish in a timely manner. The Center encourages the CNE to announce and publish complete polling station results.

12. Provide impartial election security. Reports of police bias in favor of Frelimo during the election period underscore the need to respect the right of Mozambicans to vote in an environment that is secure, tolerant, and impartial. Further training on the appropriate presence of security on election day should be implemented.

13. Build professional and impartial media. The Center's observers received complaints about biased media coverage, particularly regarding TVM, Noticias, and, notably, Domingos. Although allotted broadcast time was proportionally available to all presidential candidates and parties, partiality in media coverage undermines the right of Mozambicans to be informed about their political choices. While political parties are ultimately responsible for communicating their messages effectively, the public media can be especially supportive in this regard. Of note: Radio Mozambique, which has a national coverage and broadcasts in local languages, proved to be less partial and more professional. Media workers and owners should receive additional training on aspects of the electoral process and law as well as how best to cover election campaigns without political bias.

14. Support domestic observers. Past experience in Mozambique and elsewhere has demonstrated the significant contribution of domestic observers to the integrity of elections. The Center commends all non-partisan domestic election observers in Mozambique and is especially appreciative of the important collective effort of the Electoral Observatory and the parallel vote tabulation. The PVT added to the credibility of the official results, and this experience should be built upon for future elections.

15. Support international observers. The presence of nonpartisan international observers indicates an international interest—not desire to interfere—in



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

Mozambique and should be fostered. The Center understood that its invitation to observe the elections included the campaigns, polling, and results process. Unfortunately, despite multiple assurances of access to the activities and record of the tabulation process, The Carter Center received very limited or inadequate information. Many other aspects of the Center's interaction with the CNE and STAE were positive, and The Carter Center hopes to continue to work with Mozambicans in a spirit of friendship and democratic solidarity.

16. Sustain the Constitutional Council. In the brief time since its establishment, the Constitutional Council has executed an important oversight role. The council should intensify its commitment to the timely review of complaints and work to ensure that the submission process is clear to concerned political parties. While the submission procedure is important, it also is crucial that the concerns of political parties be reviewed on substantive grounds and not be rejected out of hand because of procedural errors.



GRANT LEE NEUBERG

Mozambique's new president, Armando Guebuza, faces the dual challenges of social and economic development.



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



REPÚBLICA DE MOÇAMBIQUE

COMISSÃO NACIONAL DE ELEIÇÕES

Referencia: n° 49/CNE/2004
Maputo, 26/10/2004

Object: Invitation to observe the 2004 General Elections

Excellency,

As you might know, the third term elections will take part in our country. The Mozambican will be once more faced with the great, but responsible exercise of choosing by vote, the President of the Republic as well as the Members of the Parliament for the same new parliament to come.

In recognition of the great support that the institution of your Excellency have paid to many events such as this all over the world, we therefore wish to invite you to be part of the Mozambican elections, that take place on the 1st and 2nd December 2004, as observer, and also to contribute in whatever that can be useful for our process, hoping that we will benefit from your honourable presence.

Due to lack of financial resources from our side we would like to inform that all expenditures on accommodation, food and transport will be on your account.

Please accept, your Excellency, the assurances of my highest consideration.

FOR FREE, FAIR AND TRANSPARENT ELECTIONS

THE NATIONAL ELECTORAL COMMISSION

Rev. Dr. Arão Litauro
President

Rua Doutor Almeida Ribeiro, n° 100, Telefone, 430286/7, Fax 427750, Maputo, Moçambique



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

2004 MOZAMBIQUE ELECTION
SHORT-TERM DEPLOYMENT

	Name	Province of Deployment	Route
1	Silvina Silva–Aras & Samuel Kivuitu	Zambézia	Quelimane to Mocuba
2	Zulmira Rodrigues & Bradley Austin	Gaza	Xai – Xai to Chókwe
3	Abdoulaye Kourouma & Harry Vanden	Sofala	Beira to Muanza
4	Achille Nisengwe & Nina Frankel	Niassa	Cuamba to Metarica
5	Natasha Cassinath & Torben Frandsen	Inhambane	Inhambane to Morrumbene
6	Jean-Paul Murekezi & Frances Henderson	Cabo Delgado	Mundimbe to Mueda
7	Gemima Neves & Moorogessen Veerasamy	Inhambane	Vilankulo & surroundings
8	Fernanda Lopes, William Kleh, & Jane Nandy	Cabo Delgado	Pemba to Montepuez
9	Carrie Manning, Henry & Rebecca Tinsley	Sofala	Meringue to Caia
10	Maria Macchiaverna & Paul Nsapu	Cabo Delgado	Cabo Delgado North
11	Mário Jaleco & Amanda Dixon	Tete	Chifunde & surroundings
12	Jason Calder & Maria Helena Alves	Nampula	Ilha de Moçambique & Mossuril
13	John Fleming & Mario de Paiva	Zambézia	Mocuba to Gurue
14	Margot Gould & Cipriano Gomes	Manica	Chimoio to Sussendenga
15	Scott Taylor & Elma Doleman	Nampula	Angoche & surroundings
16	Roel Borren & Wellington Chibebe	Niassa	Lichinga to Mandimba
17	Anna Bjorndal & Anne Pitcher	Tete	Changara & surroundings
18	Cecilia A. Luna López, Frances Johnson Morris, & Kathleen Hawthorne	Maputo	Matola to Muamba
19	Patrick Berg & Ana Ganho	Tete	Tete & Moatize
20	Jacques Saidi–Kamuleta, James (Chip) Carter, & Rebecca (Becky) Carter	Nampula	Nampula to Nacala
21	Girum Tesfaye & Carter Center Staff	Maputo	Maputo
Leadership 1	President and Mrs. Carter, Dr. David Pottie, Nicolás Bravo, & Nancy Konigsmark	Maputo	Maputo
Leadership 2	President Nicéphore Soglo, Ambassador Mongbe, Mr. Glago, Marc De Tollenaere, & Dr. John Hardman	Maputo	Maputo



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS





THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

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POLL OPENING OBSERVATION FORM Mozambique, December 1-2, 2004

Observer team: _____

Date: _____

A. INFORMATION ABOUT THE POLLING STATION			
Province:	District:	Location:	Polling station number:
Arrival time: Departure time:	Time opening procedure began:	Number of voters in line, if any:	Time first ordinary person voted:

B. OUTSIDE THE POLLING STATION (<i>mesa</i>)		YES	NO
1.	Is the area within 300m of <i>mesa</i> free of party posters/campaign activity?		
2.	Are security personnel at least 300m away from <i>mesa</i> ?		

C. POLLING STATION ATTENDANCE		YES	NO
3.	Are three or more <i>mesa</i> officials present? President ____ Vice-Pres./Secretary ____ Clerk 1 ____ Clerk 2 ____ Clerk 3 ____		
4.	Are there any women <i>mesa</i> officials? If yes, specify roles:		
5.	Do at least two <i>mesa</i> officials speak a local language? If yes, specify:		
6.	Are party agents from more than one party present? If yes, specify: Frelimo ____ Renamo- UE ____ PDD ____ other ____		
7.	Are domestic observers present? If yes, specify: FECIV ____ AMODE ____ other (list) ____		
8.	Are other international observers present? If yes, specify:		

D. OPENING ON DECEMBER 1		YES	NO
9.	Were ballot boxes shown to be empty prior to being sealed?		
10.	Were boxes correctly sealed?		
11.	Were party agents able to record the seal numbers?		
11.	Do the electoral supply kits have only one number?		
12.	Are all required materials available? If no, specify: voter register ____ ballots ____ ballots boxes ____ indelible ink ____ election forms ____ other ____		
13.	Did the poll open on time at 7:00 am? If no, specify:		



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

D. OPENING ON DECEMBER 1		YES	NO
14.	Are party agents and/or observers able to observe process adequately?		
15.	Are <i>mesa</i> officials responsive to party agents concerns?		
16.	Was the opening free of disruption/restriction? If no, specify:		
17.	Was the opening free of formal complaints to the <i>mesa</i> officials? If no, specify:		
18.	Did mesa and security officials vote before opening of the poll?		

E. OPENING ON DECEMBER 2		YES	NO
19.	Did the poll close on time last night? If no, specify time:		
20.	Was the last person in queue at 6:00 pm allowed to vote?		
21.	Were boxes sealed correctly?		
22.	Were seals undamaged at opening?		
23.	Did police guard ballot boxes at night?		
24.	Did party agents and/or domestic observers stay with the boxes overnight? If yes, specify:		
25.	Are all required materials available? If no, specify: voter register ____ ballots ____ ballots boxes ____ indelible ink ____ election forms ____ other ____		
26.	Did the poll open on time at 7:00 am? If no, specify:		
27.	Did at least two party observers witness the reopening of the polling station?		
28.	Are party agents and/or observers able to observe process adequately?		
29.	Are <i>mesa</i> officials responsive to party agents' concerns?		
30.	Was the opening free of disruption/restriction? If no, specify:		
31.	Was the opening free of formal complaints to the <i>mesa</i> officials? If no, specify:		

F. ADDITIONAL COMMENTS OR PROBLEMS REPORTED Use the space below for any additional TCC team comments or problems reported to you and who reported it.



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OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

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POLLING OBSERVATION FORM Mozambique, December 1-2, 2004

Observer Team: _____

Date: _____

A. INFORMATION ABOUT THE POLLING STATION			
Province:	District:	Location:	Polling station number:
Arrival time: Departure time:	Repeat visit? YES / NO	Time poll opened:	If Dec 2, time opened yesterday:
Voters on register (max. 1000):	Number already voted:	Number in line to vote (if any):	Total number of ballots received:

B. OUTSIDE THE POLLING STATION (<i>mesa</i>)		YES	NO
1.	Is the area within 300m of <i>mesa</i> free of party posters/campaign activity?		
2.	Are security personnel at least 300m away from <i>mesa</i> ?		

C. POLLING STATION ATTENDANCE		YES	NO
3.	Are three or more <i>mesa</i> officials present? President ____ Vice-Pres./Secretary ____ Clerk 1 ____ Clerk 2 ____ Clerk 3 ____		
4.	Are there any women <i>mesa</i> officials? If yes, specify roles:		
5.	Do at least two <i>mesa</i> officials speak a local language? If yes, specify:		
6.	Are party agents from more than one party present? If yes, specify: Frelimo ____ Renamo- UE ____ PDD ____ other ____		
7.	Are domestic observers present? If yes, specify: FECIV ____ AMODE ____ other (list) ____		
8.	Are other international observers present? If yes, specify:		

D. POLLING OPERATION		YES	NO
9.	Does the <i>mesa</i> President explain the ballot procedure to each voter before handing him or her a ballot?		
10.	Are all ballot boxes sealed and numbered?		
11.	Are all required materials available? If no, specify: voter register ____ ballots ____ ballots boxes ____ indelible ink ____ election forms ____ other ____		
12.	Are voters' fingers checked for signs of ink as they enter the <i>mesa</i> ?		



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

D. POLLING OPERATION		YES	NO
13.	Are voter cards checked against the voter register?		
14.	Are voters able to keep their vote secret during the entire voting process?		
15.	Does the <i>mesa</i> clerk sign the voter register next to each voter's name after they cast their ballot?		
16.	Are voter cards returned to the voter before leaving the mesa?		
17.	Are voters' fingers inked before leaving the mesa?		
18.	Does the <i>mesa</i> President sign and keep all spoiled ballots?		
19.	Do <i>mesa</i> officials appear to be adequately trained and knowledgeable about their role?		
20.	Are party agents and/or observers able to observe process adequately?		
21.	Are <i>mesa</i> officials responsive to party agents' concerns (if any)?		
22.	Was the <i>mesa</i> free of disruption/restriction of the voting process? If no, specify:		
23.	Was the poll free of formal complaints to the <i>mesa</i> officials? If no, specify:		

E. ON DECEMBER 2, if possible, inquire about;		YES	NO
24.	Did the poll close on time last night? If no, specify time:		
25.	Was the last person in queue at 6:00 pm allowed to vote?		
26.	Were boxes sealed correctly?		
27.	Were seals undamaged at opening?		
28.	Did police guard ballot boxes at night?		
29.	Did party agents and/or domestic observers stay with the boxes overnight? If yes, specify:		
30.	Did at least two party observers witness the reopening of the polling station?		

F. OVERALL EVALUATION	Carter Center	Mesa officials	Domestic observers	Party agents
31. <i>Mesa</i> functioned well, <u>no problems</u>				
32. Minor problems, <u>unlikely to impact on result</u>				
33. Significant problems, <u>potential for impact on result</u>				
34. Serious violations, <u>should invalidate results</u>				

G. ADDITIONAL COMMENTS OR PROBLEMS REPORTED Use the space below for any additional TCC team comments or problems reported to you and who reported it.



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

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POLL CLOSING, COUNTING AND RESULTS OBSERVATION FORM Mozambique, December 1-2, 2004

Observer team: _____ Arrival time: _____ Departure time: _____

A. INFORMATION ABOUT THE POLLING STATION

Province:	District:	Location:	Polling station number:
-----------	-----------	-----------	-------------------------

B. CLOSING ON DECEMBER 1

	YES	NO
1. Did the poll close on time? If no, specify time:		
2. Was last person in queue at 6:00 pm allowed to vote (if applicable)?		
3. Were boxes sealed correctly?		
4. Were police prepared to guard ballot boxes overnight?		
5. Were party agents and/or observers prepared to stay overnight with the ballot boxes?		

C. CLOSING ON DECEMBER 2

	YES	NO
6. Were seals undamaged at opening?		
7. Did the poll close on time at 6:00 pm?		
8. Were all voters in line at 6:00 pm allowed to vote (if applicable)?		

C. COUNTING ON DECEMBER 2

	YES	NO
9. Is there sufficient light for counting?		
10. Are spoiled and unused ballots checked and packed in their respective bags?		
11. Is the number of actual voters checked on register?		
12. Are ballot boxes opened and the number of ballot papers inside counted (both boxes)?		
13. Does Secretary note the number of ballot papers in the <i>edital</i> ?		
14. Does President display and read out loud each ballot?		
15. Are ballot papers arranged by candidate/party? Blank and void ballots should also be counted and arranged separately.		
16. Does Secretary record the number of votes cast for candidate/party?		
17. Does President confirm the total votes cast reconciles with the number of actual voters as shown on the voter register?		
18. Does President invite party agents to examine the stacks of ballots?		
20. Are <i>editais</i> filled in correctly, signed and stamped by the polling station members and posted outside the polling station?		
21. Do party agents receive copy of the <i>edital</i> ?		
22. Do party agents sign the <i>acta</i> ?		
23. Was the counting free of disruption?		
24. Was there a full discussion in each case of a disputed ballot (if applicable)?		



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

25.	Did all participants agree with all decisions?		
D. PRESIDENTIAL RESULTS		TOTAL	
Results directly observed ____ or recorded from posted <i>editais</i> ____ (check one)			
Armando Guebuza (Frelimo)			
Afonso Dhlakama (Renamo)			
Raul Domingos (PDD)			
Yagub Sibindy (PIMO)			
Carlos Reis (UNAMO)			
Valid (válido) ballots			
Invalid (<i>nulo</i>) ballots			
Blank (<i>branco</i>) ballots			
Spoiled (<i>inutilizado</i>) ballots			
Disputed ballots (<i>reclamado and/or protestado</i>)			

E. LEGISLATIVE RESULTS		TOTAL
Results directly observed ____ or recorded from posted <i>editais</i> ____ (check one)		
Frelimo		
Renamo		
PDD		
List parties as applicable		
Valid (válido) ballots		
Invalid (<i>nulo</i>) ballots		
Blank (<i>branco</i>) ballots		
Spoiled (<i>inutilizado</i>) ballots		
Disputed ballots (<i>reclamado and/or protestado</i>)		

F. ADDITIONAL COMMENTS OR PROBLEMS REPORTED Use the space below for any additional TCC team comments or problems reported to you and who reported it.



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



FOR IMMEDIATE RELEASE
Monday, July 26, 2004

CONTACT: Marc de Tollenaere
In Mozambique, 258-082-31-18-81

PRE-ELECTION STATEMENT ON MOZAMBIQUE ELECTIONS, JULY 26, 2004

MAPUTO, MOZAMBIQUE... In response to an invitation issued by the National Elections Commission (CNE), The Carter Center observed the voter registration update in Mozambique from June 28 to July 15. With observers from five countries—Belgium, the Democratic Republic of the Congo, Ecuador, Guinea-Conakry, and the United States—The Carter Center visited 151 registration brigades in nine provinces.

The Center is awaiting the release of the final registration update figures before issuing an overall assessment. However, the Center has several preliminary observations.

VOTER REGISTRATION UPDATE

The mission found that registration officers were generally well-trained and well-equipped to perform their task and worked harmoniously with party monitors. Toward the end of the registration period, some brigades ran out of materials when new supplies did not arrive due to transport problems, but no cases were observed where voters could not register at all.

Carter Center observers noted regional differences in the participation rate of urban and rural voters. Even though each brigade is responsible for approximately the same number of voters, observers found in the southern provinces that urban brigades tended to register nearly twice the number of voters per day as those in rural areas. By contrast, the discrepancy was

higher in the central provinces with urban brigades registering voters at a daily rate four times that of those in rural areas.

Although it is difficult to identify the exact causes for these regional differences, observers found varying levels of civic education and long distances to registration brigades may have been contributing factors. Voters often had to walk considerable distances, and officials from the Technical Secretariat for Electoral Administration (STAE) regularly had too few vehicles to transport materials or to supervise the operation of the brigades effectively. While the location of some of the nearly 2,500 brigades may have been an issue, the political parties approved these through their representatives on the district, provincial, and national levels of the electoral authorities. The Center will continue to follow these and other issues related to the voter registration update.

COMPUTERIZED VOTERS ROLL

The Center was pleased to find the computerized registration books of 1999 and 2003 were generally available for verification of voter details at the registration brigades. However, only a limited number of voters appeared to review their inscription data. The Center is particularly concerned about several problems regarding the credibility of the computerized roll. Center observers noted problems with the computerized registers in 10 to



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

15 percent of the visited brigades. In some cases, the books appeared to have database errors such as repetition of voter names, birth dates, or numbers, and in some cases voter names were not listed. The Carter Center previously noted some of these problems following its observation of the 2003 municipal elections, but these ongoing errors imply the subsequent corrections carried out by STAE have yet to produce a fully clean voters list.

The Carter Center strongly encourages electoral authorities to take all possible measures to continue improving the voter register to avoid multiple voter registration or disenfranchisement of eligible voters. The dedication of adequate resources, thorough cross-checking of brigade supervisor reports, and reference to the manual voter registration books are among measures to improve the credibility of the voters roll. Consideration also should be given to conducting an independent audit of the voter register.

ROLE OF INTERNATIONAL OBSERVERS

The Carter Center would like to thank those local electoral officials who greeted its observers with openness. However, the Center also urges the CNE and STAE to better inform provincial, district, and technical staff about the rights, duties, and role of election

observers. Although properly accredited, Center observers often were received with distrust and insecurity on the part of local electoral officials. Many district and local officials were unaware also of CNE regulations on election observers. Greater understanding of the role of international observers could be established during the training of election officials and by ensuring the proper distribution of CNE observation regulations to district and local officials.

The Carter Center will observe the ongoing compilation of the voters roll and encourages electoral authorities to ensure all eligible Mozambicans have the opportunity to participate in the December election.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit www.cartercenter.org to learn more about The Carter Center.



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



FOR IMMEDIATE RELEASE
Tuesday, November 16, 2004

CONTACT: Kay Torrance
In Atlanta, 404-420-5129

Carter Center Field Office
In Mozambique, 258-1-497949

CARTER CENTER TO OBSERVE MOZAMBIKAN ELECTIONS

ATLANTA.... Former U.S. President Jimmy Carter, his wife, Rosalynn, and former Benin President Nicéphore Soglo will lead a 60-member international delegation to observe Mozambique's presidential and legislative elections. The Carter Center, which observed the 1999 national elections and the 2003 municipal elections, was invited by the National Election Commission and welcomed by all major political parties to observe the Dec. 1-2 elections.

The Center's election observation mission follows two assessment trips in 2003, during which election authorities, political parties, and local observer groups also welcomed the Center's presence. The Center also has engaged in Mozambique through the Center's Global Development Initiative, which has supported the national consensus-building initiative known as Agenda 2025.

"While Mozambique has introduced important electoral reforms since 1999, The Carter Center shares the concern of other observers about the transparency of the tabulation process," said Dr. David Pottie, senior program associate of the Center's Democracy Program. "International and regional standards have established that election observers need access to all critical phases of elections, including tabulation, in order to credibly carry out their work. The Carter

Center hopes that appropriate conditions will be created in Mozambique so that observers are able to fully assess the process."

President and Mrs. Carter, President Soglo, Dr. Pottie, and Nicolas F. Bravo, Mozambique field office representative, hope to meet with presidential candidates, the election commission, domestic observers, and other international observers.

A team of nine long-term observers was deployed in early October to observe the political environment, election preparations, and the political party campaigns. The Center's observers visited more than 50 urban and rural districts in 11 constituencies. They met with representatives of the political parties, electoral authorities, domestic and international election observers, civic organizations, media, and international community representatives.

Generally, observers found a calm environment, though some isolated signs of intimidation were observed in Gaza and Tete provinces. The code of electoral conduct signed by all political parties in May 2004 was respected to varying degrees throughout the country, and the Center hopes it will be widely adhered to during the last period of the electoral process.

Center observers found their exchanges with



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

international and domestic observers to be helpful and encourage them to continue their key efforts in the electoral process. The Carter Center also welcomes the efforts carried by Technical Secretariat for Electoral Administration (STAE) to consolidate the computerized voters roll and looks forward to its further progress.

The remainder of the delegation, representing 23 countries, arrives Nov. 27 and will receive briefings in Maputo before deployment throughout Mozambique. On Dec. 1 and 2, Center observers will witness poll openings, voting, poll closing, and counting and track the tabulation of results.

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THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



FOR IMMEDIATE RELEASE
Saturday, Dec. 4, 2004

CONTACT: Nicolás Bravo
In Maputo, cell 082-308-004

POSTELECTION STATEMENT ON MOZAMBIQUE ELECTIONS, DEC. 4, 2004

The Carter Center was invited by the National Election Commission (CNE) and welcomed by all major political parties to observe the Dec. 1-2 elections. The Center observed the 1999 and 2003 elections and has been engaged in initiatives in Mozambique, including support for the Agenda 2025 national consensus-building initiative and agriculture production technologies through SG 2000.

Under the leadership of former U.S. President Jimmy Carter, his wife, Rosalynn, and former President of Benin Nicéphore Soglo, the Center deployed 60 international observers from 23 countries to 11 provinces for the elections. The observers met with local officials, campaign teams, and domestic observers and observed the voting, counting, and initial tabulation. The delegation leadership met in Maputo with President Joaquim Chissano and all presidential candidates except Carlos Reis, as well as members of the CNE, Technical Secretariat for Electoral Administration, and the Constitutional Council; leaders of nonpartisan domestic election monitoring organizations; and others. We would like to extend our thanks to all of the many other individuals and organizations who welcomed our observation efforts and took the time to facilitate our understanding of Mozambique's politics and electoral process.

ASSESSMENT OF THE ELECTION

The Carter Center congratulates the people and leaders of Mozambique for the conduct of the presidential and legislative elections. To date, with a few exceptions, our assessment of Mozambique's elections is positive. We are especially pleased about the peaceful atmosphere that prevailed on election day and the calm and orderly manner in which the poll was conducted in most places.

This election marks another important step in Mozambique's ongoing democratization. Because the tabulation and verification of final results are ongoing, it is too early to evaluate the election as a whole. The Center will continue to observe these processes in the days and weeks ahead and will maintain its long-term monitoring through the announcement of final results. After the conclusion of the entire electoral process, the Center will issue a more comprehensive report.

THE POLLING PROCESS

Carter Center observers visited nearly 1,000 polling stations in all 10 provinces and Maputo. Our observers generally found the polling stations they visited were well-organized, functioned effectively, were fully staffed, and had necessary election materials. We were impressed especially with the thorough and consistent application of the polling procedure



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

and the significant number of women polling officials. However, we noted the distribution of polling stations in some districts resulted in some voters having to travel long distances to get to the polls.

Previously, The Carter Center raised concerns about the accuracy of the voter register, with many obsolete names still listed. Although no systematic problems regarding the voter register were apparent on election day, the number of registered voters per polling station should have been made available to political parties and others prior to election day.

The opening and closing process was well-managed. Our observers found the counting procedures were correctly applied with meticulous attention to detail. However, there seemed to be some unnecessary voiding of ballots, and additional training might ensure more consistent determination of valid and invalid ballots. Transparency in the counting process has been strengthened by the welcome introduction of providing copies of the final tally sheets to party agents.

Preliminary results indicate low voter turnout. Although it is too early to explain this worrying trend, the Center hopes that election authorities, political parties, and others will encourage greater political participation and build public confidence in the effectiveness of the electoral process.

ELECTION OBSERVERS AND CANDIDATE WITNESSES

The Carter Center urges electoral authorities to foster transparency and credibility of results by providing nonpartisan domestic and international observers full access to ongoing tabulation of results and confirming of reasons for any invalidation of votes cast.

Past experience in Mozambique and elsewhere has demonstrated the significant contribution that domestic observers and effective candidate witnesses can make to the credibility and integrity of the election process. We commend the important work and commitment of the member organizations participating in the Electoral Observatory.

In light of the controversies about the final elec-

tion results in 1999, domestic observers have correctly placed additional emphasis on counting and consolidating the results in this election. The quick count conducted by the Electoral Observatory will provide an independent check of tabulation and results, with a small margin of possible error.

Carter Center observers were generally well-received by election officials, political party representatives, and observers. We sought to conduct our observations without interference in the normal conduct of the polls and found presiding officers were willing to answer our questions regarding the process. Unfortunately, several Carter Center observer teams were made to feel unwelcome by the Tete provincial election commission. The presence of international observers from many organizations, including the European Union, Commonwealth, Southern Africa Development Community Parliamentary Forum, Electoral Institute of Southern Africa, and others, indicates an international interest in Mozambique that should be fostered.

Our observers reported that more than one party or candidate agent was present at most polling stations. Party agents have a direct interest in ensuring the integrity of the polling process, and their efforts should continue to receive support. In some districts, however, Frelimo tended to be the only party effectively represented at the polls. Elsewhere, some opposition Renamo party agents had difficulty exercising their right to remain with the ballot boxes overnight on Dec. 1.

POLICE AND SECURITY

The Center is concerned about several incidents that resulted in the arrest of Renamo party agents and supporters in Angoche. We also received reports of police bias in favor of Frelimo during the election campaign and on the election days. In some cases, an excessive number of ballots were voided when the will of the voters seemed obvious. The Carter Center hopes future political activity in Mozambique will enjoy more secure, tolerant, and impartial enforcement



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



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Carter Center field representative Nicolás Bravo and President Carter confer with an election official before the opening of polls.

of the law with the guidance of an effectively applied code of conduct for political parties.

CONCLUSION

The electoral process is not complete, and the Center will continue to observe the ongoing tabulation of results at provincial and national levels. The Center encourages election officials to ensure every effort will be made to enable transparency in the official results process. It is important that there are justified reasons for the invalidation of any ballots or tally sheets. The establishment of the Constitutional Council and its mandate to review the final official results provides an important reassurance that the concerns of all participants in the elections will be addressed.

The Carter Center trusts that the operation of the CNE, Constitutional Council, and Mozambique's other electoral institutions will ensure the choice of the Mozambican people is reflected in the final results.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit www.cartercenter.org to learn more about The Carter Center.



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



FOR IMMEDIATE RELEASE
Tuesday, Dec. 21, 2004

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POSTELECTION STATEMENT ON MOZAMBIQUE ELECTIONS, DEC. 20, 2004

Continuing its observation of the Dec. 1-2 presidential and legislative elections, The Carter Center has monitored the tabulation of results in provincial capitals and the reclassification of invalid votes at the National Elections Commission (CNE) in Maputo.

The Center has followed several issues since the election days that were of concern, including the arrest of Renamo representatives in the Manica, Niassa, and Nampula provinces; delayed poll openings in rural areas of Zambezia; and low voter turnout. The Center will maintain its presence in Mozambique until the conclusion of the elections and then will publish a comprehensive report.

The Carter Center is very concerned about a number of irregularities observed during the provincial tabulation, including polling station tally sheets results lacking credibility, problems with the tabulation software, mismatched numbers of polling stations and tally sheets, and mistrust between political party representatives in the provincial Technical Secretariat for Election Administration (STAE). No province submitted results by the legal deadline, and the Center found it difficult to acquire clear and reliable information on the progress of tabulation. These and other concerns provide evidence of serious weaknesses in Mozambique's vote tabulation, and as a result, the

Center cannot verify the accuracy of the provincial counting process at this time.

The CNE reviews rejected tally sheets sent to Maputo from the provinces in a closed plenary session. Former U.S. President and Carter Center Chair Jimmy Carter has previously asked CNE to maintain a clear record of reasons for the rejection or acceptance of these tally sheets and to allow nonpartisan observers to examine the rejected tallies. The Center repeats its request for full observer access to this record to contribute to the transparency and credibility of the final results process.

The Center was impressed by the generally peaceful postelection environment and the genuine commitment of most Mozambicans to the legal requirements of vote tabulation.

Although the Center does not expect these irregularities to alter the overall outcome of the presidential election, they do undermine the credibility of Mozambique's electoral authorities. In addition, any errors in the tabulation of legislative election results could lead to the incorrect distribution of seats. The Center is confident the findings of the parallel vote tabulation carried out by the domestic observer groups in the Electoral Observatory serve as a useful register against which to assess the overall election results.



OBSERVING THE 2004 MOZAMBIQUE ELECTIONS

PROVINCIAL TABULATION

Carter Center observers generally were granted access to review the entry of polling station results at computer terminals in the provincial electoral commissions, although this access was uneven, and in one province, police and electoral officials obstructed the Center's observer. In another province, only one computer terminal was available to observers, and district results were not available for review. Also of importance, observers were unable to examine rejected tally sheets in all provinces.

Tabulation was delayed in all provinces, and no province met the legal requirement of submission of results to the CNE by Dec. 9. A variety of reasons were advanced for the delays, including late reception of material from districts, tabulation software flaws, and misunderstandings between political party representatives. Provincial counting has been characterized by political mistrust, and in some provinces, Renamo representatives to the STAE obstructed the opening of warehouses with election materials.

In a number of cases, Carter Center observers found tally sheets with unrealistically high voter turnout, including multiple instances of polling stations in Niassa and Tete recording a 100 percent turnout and more than 90 percent support for Frelimo. Given the low turnout nationwide (ranging from 30-40 percent), ballot boxes appear to be stuffed at polling stations in the Tete districts of Changara, Chifunde, and Tsangano as well as in the Niassa districts of Metarica and Marrupa and in the Gaza district of Chicualacuala. In some of these areas, Carter Center observers had reported an intimidating environment during the campaigns, and opposition party agents had problems in getting credentials.

A final polling station list with registration book numbers and numbers of registered voters was never made available to political parties or observers. This list, described by the CNE as a "state secret," is essential because it determines the number and location of polling stations and should coincide with the database

used for the tabulation software. The reasons for such secrecy are not clear, and it is still unknown how many registered voters or physical polling stations existed on election day. Errors in the software resulted in the generation of extra tally sheets, creating confusion for political parties and election observers. According to STAE, the "phantom tally sheets" were produced when data were entered from polling stations with more than one voter register book. It appears that STAE has taken steps to address this problem, but its existence constitutes a fertile ground for allegations of fraud. Following the 1999 and 2003 elections, The Carter Center recommended timely production of credible and secure tabulation software.

As a result of these and other difficulties in receiving clear and full information, the Center is unable to verify the accuracy of the provincial counting process at this time.

NATIONAL TABULATION

The Center's observers had adequate access to the reclassification of invalid ballots at CNE headquarters, although on some occasions it was limited to specific times during the day. All invalid ballots are sent to the CNE in Maputo for reclassification where CNE representatives from Frelimo and Renamo, working in teams of two, examine each ballot paper. The Center noted a striking incidence of invalid ballots from Niassa and Tete provinces with a consistently applied pattern of additional ink marks that were mostly seen on ballots that would have otherwise been for Renamo. Necessarily, both party representatives present at the reclassification room considered those ballots void.

The Center is aware that Renamo's leadership has announced it will not accept the results. Although final results were due Dec. 17, the Center encourages all candidates and their supporters to continue to participate in a climate of dialogue and to use legal channels for the resolution of any election disputes that may arise following the CNE's announcement. The Center also welcomes the positive involvement of



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nonpartisan Mozambican civil society organizations, such as members of the Electoral Observatory, and encourages their assessment of the tabulation and results process. As noted in previous statements, the Center anticipates the Constitutional Council will ensure that valid concerns with the conduct of the elections will be addressed properly.

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A party agent signs and receives a copy of the polling station tally sheet at completion of count.



SIGRID SPINNOX



THE CARTER CENTER

OBSERVING THE 2004 MOZAMBIQUE ELECTIONS



FOR IMMEDIATE RELEASE
Wednesday, Jan. 26, 2005

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POSTELECTION STATEMENT OF THE CARTER CENTER ON THE MOZAMBIQUE ELECTIONS, JAN. 26, 2005

The Carter Center recognizes the overall results and congratulates the elected Frelimo President Armando Emilio Guebuza. However, the Center concludes the National Elections Commission (CNE) has not administered a fair and transparent election in all parts of Mozambique. Political parties must also be held accountable since it is their representatives in the CNE and the Technical Secretariat for Election Administration (STAE) who are responsible for the overall success or failure of the elections. The Center has attempted to observe and assess as much of the verification process as possible but has been hindered by a lack of cooperation by the CNE.

The Center's previous statements following the election reported positive and peaceful election days but expressed concerns over the accuracy of the voters register, some irregularities on the polling and the tabulation process, and the fact that the list with registration book numbers of registered voters was never available to political parties or observers.

The Carter Center welcomes the Constitutional Council's announcement Jan. 19 validating the final results of the Dec. 1-2 elections. The council's announcement underlines the need to create adequate conditions for electoral observation in Mozambique. It also stresses the poor level of professionalism demonstrated by electoral authorities and the political party representatives who assumed roles in the electoral institutions.

The overall election results are not in question, as indicated by the wide margin of Frelimo's victory and confirmed by the parallel vote tabulation conducted by domestic observers. However, the problems observed by The Carter Center could have had serious consequences in a closer election. Moreover, the Center remains concerned that the Constitutional Council has validated CNE election results retaining irregularities that could have had an impact on the distribution of parliamentary seats in some provinces. Despite former U.S. President Jimmy Carter's Dec. 3 request to CNE President Araújo Litsure that observers review rejected tally sheets and a detailed record of the reasons for their rejection, the Center and other observers have not been able to view such a record of the rejection of 699 presidential and 731 legislative tally sheets. Unless and until the CNE provides clear evidence to dispel any remaining doubts about the accuracy of official results, the Center believes the credibility of the tabulation process will remain open to question.

A comprehensive election report, including recommendations for electoral reform, is forthcoming. This is the Carter Center's fourth and final public statement on the Mozambique 2004 elections.

BACKGROUND

In October 2003 the Center opened a Maputo office and monitored the November 2003 municipal elections. In partnership with the member organiza-



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tions of the Electoral Observatory, the Center provided technical assistance to conduct a parallel vote tabulation (PVT) in 10 of Mozambique's 33 municipalities. The Center's public statements on the municipal elections voiced concerns regarding the accuracy of the voter register and the need for more transparent election administration. The Center also called attention to the uneven observer access to the provincial vote tabulation and the reclassification of invalid votes conducted by the CNE in a closed session. Over the course of 2004, the Center's staff in Maputo remained active, strengthening links with Mozambican civil society organizations, political parties, media, and the electoral bodies while organizing activities in support of the electoral process.

The Center also observed the voter registration in June-July 2004, again voicing concerns regarding the credibility of the computerized voter roll, difficulties in obtaining observer access to critical phases of the process, and regional discrepancies in the registration rate in favor of urban voters over rural voters. At the time, the Center suggested an independent audit of the voter register could help to improve the credibility of the Mozambican electoral bodies.

In early October 2004, the Center deployed nine long-term observers to observe the entire process, including the civic education and political campaigns. While the political environment was generally peaceful, some intimidation was observed in certain districts in the Tete, Gaza, and Niassa provinces. The Center was particularly concerned about some police agents who demonstrated partiality and unequal treatment toward opposition party supporters. A climate of secrecy within the CNE, marked by persistent failure to release a definitive list of polling stations indicating the number of registered voters, also was encountered in the provinces, raising questions about the CNE's commitment to observer access.

During the election days, the Carter Center observation mission, headed by former U.S. President Jimmy Carter, his wife Rosalynn, and former President of Benin Nicéphore Soglo, deployed 60 observers from

23 countries throughout the entire country. The delegation leadership met in Maputo with President Chissano and key actors of the electoral process.

While the overall assessment of the election days was positive, the Center made clear in a Dec. 4 statement that the tabulation process was unfinished and a final assessment would be released at a later date. From the nearly 1,000 polling stations visited, observers noted that they were generally well organized. One major incident observed by the Center resulted in the arrest of Renamo party agents and supporters in Angoche, while a similar situation was observed in Quelimane. The Center's observers in Tete found that at least one domestic observer carrying out his PVT duties was arrested in the district of Zumbo and remained unreachable for several days. In 90 percent of the visited polling stations, the Center noted the presence of at least two party agents, though some of the polling stations in Gaza and Tete provinces were observed with only one party agent.

Following three weeks of monitoring postelection processes, the Center released a second interim statement Dec. 21, emphasizing its continuing concerns about the number of irregularities observed during the provincial tabulation, including questionable tally sheet results, serious problems with the software, mismatched numbers of polling stations and tally sheets, and a constant mistrust between political party representatives at the STAE. The newly introduced provision for party and candidate agents to sign and receive copies of polling station tally sheets was a welcome step toward a more accountable results process. However, these copies appear not to have been used as a cross-check against rejected tally sheets at later stages of the tabulation. No Provincial Electoral Commission released clear information on the final voter list, and software problems resulted in the generation of extra tally sheets, creating confusion exacerbated by vague responses from the electoral authorities. While the explanation for such errors given later by the STAE seemed plausible, their existence created fertile ground for allegations of fraud.



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Evidence of serious irregularities in the polling process came to light in several provinces. For example, the Center's observers in the Tete provincial districts of Changara, Chifunde, and Tsangano as well as in the Niassa districts of Metarica and Marrupa and in the Gaza district of Chicualacuala found voter turnout percentages suspiciously high and even in some cases, impossibly high (more than 100 percent), leading to the conclusion that ballot stuffing occurred in some of those polling stations. These incidents had an important impact in the final National Assembly results. Also notable, the province of Tete had the highest (and unprecedented) voter turnout nationwide (67.4 percent), contrasting with a national rate of 43.6 percent.

While noting the multiparty environment provided an important opportunity for all parties to work together to improve governance, the Center urged the CNE to take steps to ensure the prompt and transparent verification of results.

TABULATION OF FINAL RESULTS

The Center has serious unanswered questions about the complete accuracy of the results and the lack of transparency in the CNE's final tabulation. For example, the results did not include a detailed district-by-district map, and the CNE has poorly explained the reasons for rejected, stolen, or missing tally sheets. Despite assurances to observers that they would be granted full access to a detailed record listing the reasons for rejected polling station tally sheets, this information has not been made available.

The Center has attempted to observe and assess as much of the verification process as possible but has been hindered by a lack of cooperation by the CNE. In November 2004, President Carter requested observer access to national tabulation but was told the CNE plenary sessions are closed. President Carter subsequently requested that observers be present for the CNE review of invalid ballots sent from polling stations to Maputo. Although the CNE initially granted this request, observer access was subsequently restricted to two hours a day. Carter Center observers were able to follow the

data entry of computerized results, but the software did not enable searches by polling location. Despite the CNE's assurance to President Carter that observers would be allowed to review a record of the reasons given for rejected tally sheets, the CNE has not produced this record, and the Center has been unable to examine even a sample of rejected tally sheets.

The Center also is alarmed by the apparent lack of interest in the tabulation of results displayed by non-represented political parties and domestic observers. Given the concerns about the credibility of previous election results, the Center expected these groups might have been more assertive about the right to a transparently conducted exercise.

The Center's confidence in the overall election result is based in large part on the successful conduct of Mozambique's first national PVT. The Center continued its assistance to the Electoral Observatory throughout 2004 and is pleased the PVT closely matched the official results. Mozambique's domestic election observers are to be congratulated for the conduct of this crucial check on the official results.

PETITIONS

Four days after the legal deadline, the CNE announced the official election results Dec. 21. The electoral law requires election petitions to be filed with the CNE within two days of announcement of results and any appeals to be filed with the Constitutional Council within five days of the CNE's decision.

The main opposition parties, Party for Peace, Democracy and Development (PDD), Independent Party of Mozambique (PIMO), the Enlarged Opposition Front (FAO), the Movement for Change and Good Governance (MBG), and the Renamo-Electoral Union (Renamo-UE), prepared formal election petitions. PDD wrongly presented its petition first to the Constitutional Council and was therefore rejected. PIMO, MGB, and FAO called for the annulment of the elections, but their petitions also were rejected by the CNE.

On Dec. 27, Renamo-UE presented a petition to



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the CNE calling for new elections within six months. The CNE sent the petition to the Constitutional Council without deliberation. The council considered this action inappropriate and sent the petition back to the CNE, demanding formal deliberation. The CNE finally rejected the Renamo complaint Jan. 3, 2005, which called for new elections within a period of six months. The CNE correctly argued the petition was submitted after the legal deadline.

Following the CNE deliberation and ruling, the Constitutional Council rejected the Renamo-UE complaint on Jan. 15. The council noted the Renamo-UE complaint was submitted after the legal deadline, the alleged irregularities should have been reported at the time and location they occurred, and the petition's content, as presented to the council, was in fact a new petition since it differed from the one originally presented to the CNE. On Jan. 12, the Constitutional Council also rejected complaints of the minor parties.

FINAL RESULTS

Although the CNE announced overall results Dec. 21, they were only made publicly available to media and observers five days later. The CNE's final report (acta) was short on details explaining the reasons and origins of rejected tally sheets, and no district results were recorded as required by law. Nonetheless, in Deliberation No. 19 of Jan. 19, 2005, the Constitutional Council validated the results in this form.

The Carter Center welcomes the strong recommendations made by the Constitutional Council, including the generation of a single, national voter register, the proper institutional and professional development of the CNE, a more consistent knowledge of the electoral legislation on the part of the political parties, and the need to create adequate conditions for electoral observation.

Nevertheless, the Center remains concerned that some issues did not receive sufficient attention from the council, including the abuse of public resources by political parties during the campaigns, acceptance of the delayed results from the electoral bodies but no such

flexibility being accorded to political parties with late election petitions, and the reluctance of some district-level electoral bodies to receive party complaints (especially since the council cited Renamo-UE's failure to submit electoral complaints at the district level as one of the three arguments for rejecting its petition). The council registered its concerns that despite evidence of considerable irregularities, a culture of impunity prevails, and those responsible are not held accountable.

Although the council notes the CNE failed to complete a final tabulation map of district-by-district results for the provinces of Nampula, Manica, Sofala, and Gaza, in clear violation of the electoral law, the CNE is not held accountable for its failure to provide detailed reasons for the rejected polling station tally sheets.

CONCLUSIONS

Mozambique is at a critical point in its democratic development. While it is clear the people of Mozambique have endorsed Frelimo and its presidential candidate, Armando Emilio Guebuza, the Center is concerned the enduring problems with the voter register, evidence of serious irregularities and fraud during polling in several provinces, and inadequate transparency of the tabulation process will continue to cast a shadow over Mozambique's democracy.

Democratic leadership that embraces multiparty cooperation and broad participation by civil society could provide a foundation for improved governance in Mozambique. The Center hopes Mozambique's political leaders will take steps to meet this goal and urges them to respond with renewed commitment to electoral reform.

The Center makes these observations with no authority and no intention of intervening in Mozambique's affairs but in the spirit of supporting democratic development in Mozambique and elsewhere. Ultimately, it is the Mozambican people who will judge the legitimacy of the election and will hold government and officials accountable.



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THE CARTER CENTER AT A GLANCE

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed 53 elections in 24 countries; helped farmers double or triple grain production in 15 African countries; mediated or worked to prevent civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: \$38 million 2003-2004 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax-deductible as allowed by law.

Facilities: The nondenominational Cecil B. Day Chapel and other facilities are available for weddings, corporate retreats and meetings, and other special events. For information, 404-420-5112.

Location: In a 35-acre park, about 1.5 miles east of downtown Atlanta. The Jimmy Carter Library and Museum, which adjoins the Center, is owned and operated by the National Archives and Records Administration and is open to the public. 404-865-7101.

Staff: 150 employees, based primarily in Atlanta.



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